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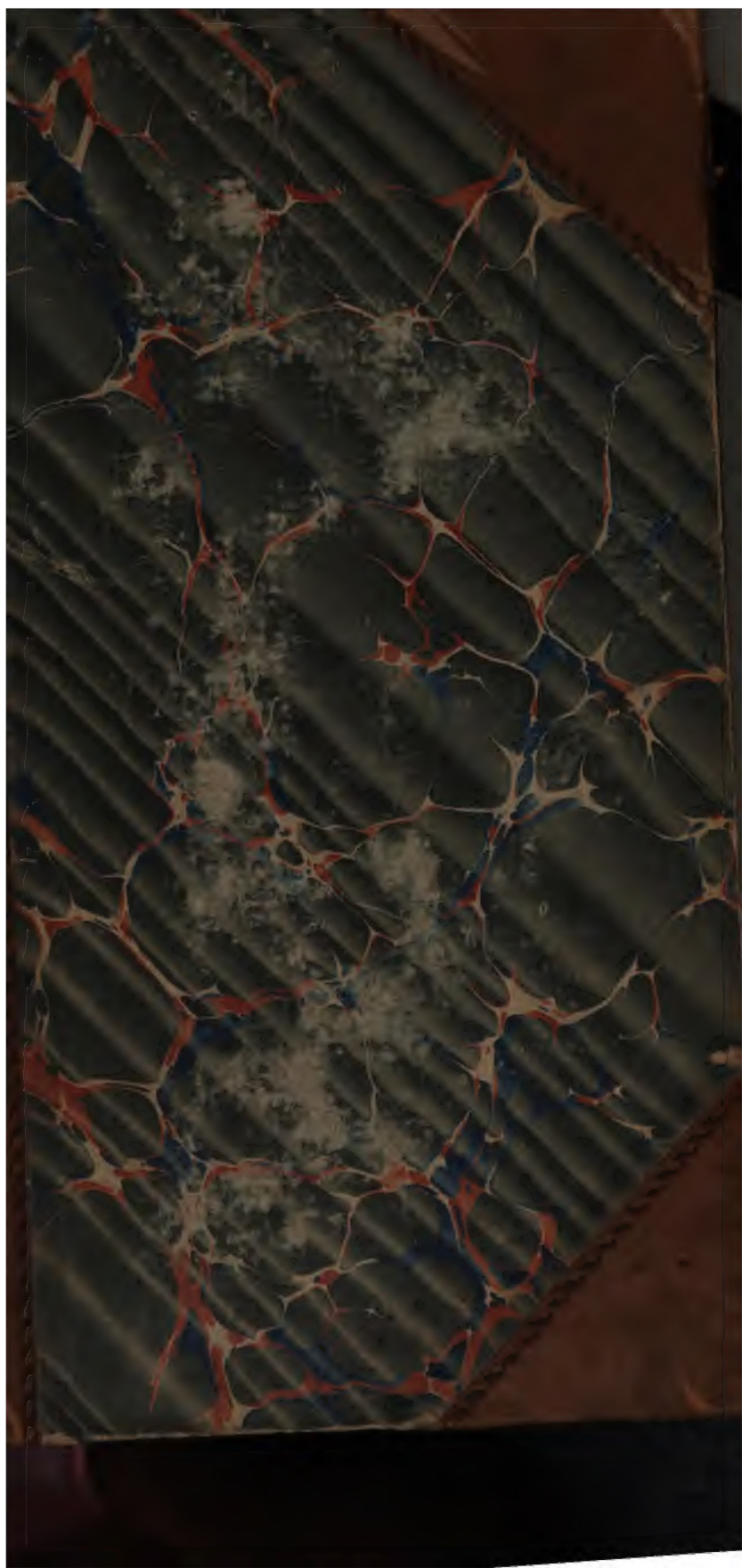
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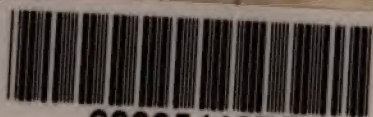
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THE
H I S T O R Y
O F
NEW-HAMPSHIRE.

VOLUME II.

COMPREHENDING THE EVENTS OF SEVENTY FIVE
YEARS, FROM MDCCXV TO MDCCXC.

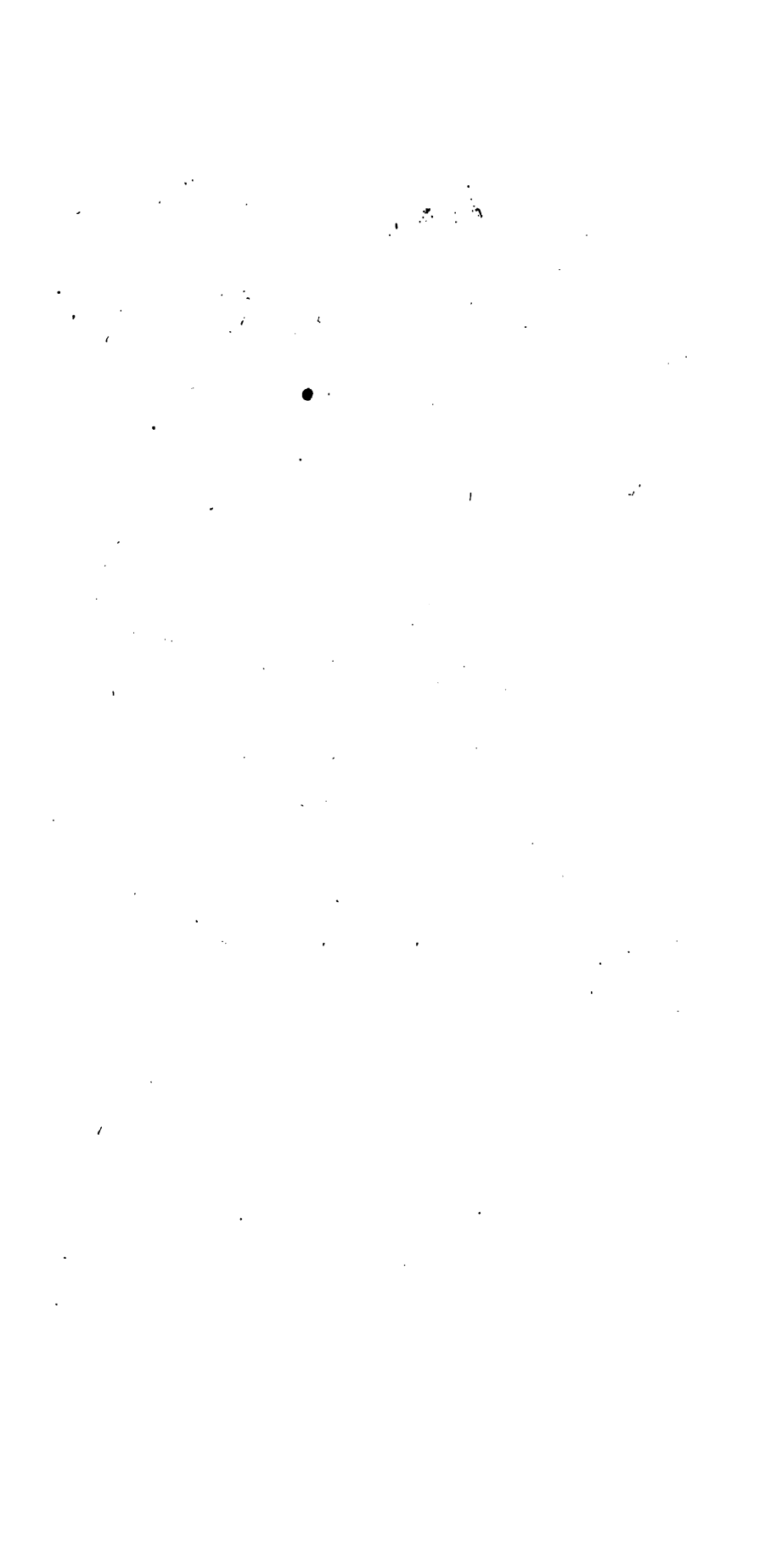
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MDCCXCI.

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P R E F A C E

To the SECOND VOLUME.

WHEN the first volume was printed, I had not seen the ‘Political Annals’ of the American Colonies, published in 1780, by George Chalmers, Esq. This gentleman, being in England, was favored with some advantages, of which I was destitute; having access to the books and papers of the Lords of Trade and Plantations, from the first establishment of that Board. He seems to possess the diligence and patience which are necessary in a historian; but either through inadvertence or want of candor, has made some misrepresentations respecting New-Hampshire, on which I shall take the liberty to remark.

In page 491, speaking of the first Council, of which President CUTTS was at the head, he says, ‘they refused to take the accustomed oaths, as the English law required, because liberty of conscience was allowed them.’ In the first volume of my history, page 176, I have said, ‘they

A 2

‘published

iv P R E F A C E.

‘ published the commission and took the
‘ oaths ;’ for which I cited the Council
records ; and on recurring to them, I find
the following entry, in the hand writing
of Elias Stileman, Secretary.

‘ *January 21, 1679—80.*

‘ His Majesty’s Commissioners, nomy-
‘ nated in said commission, tooke their
‘ respective oathes, as menconed in said
‘ commission.’

That the oaths were really taken, is a
fact beyond all dispute ; but if there is
any ground for what Mr. Chalmers is
pleased to call a refusal, it must have been
respecting the *form* of swearing ; which
was usually done here by lifting the hand,
and not by laying it on the bible, as was
the form in England. Was it a forced
construction of the clause respecting lib-
erty of conscience, to suppose, that this
indulgence was granted to them ? What
other use could they have made of this
liberty, than to act according to the dic-
tates of their consciences ? Is it then con-
sistent with candor, to publish an asser-
tion, so worded as to admit the idea, that
these gentlemen *refused* to obey an essen-
tial

P R E F A C E. v

tial part of the duty prescribed by the commission, which they undertook to execute? Or is it consistent with the character which he gives of the President, CURTIS, p. 492, that 'he was allowed to have been 'an honest man and a loyal subject?' The commission required them to take the oaths of allegiance and supremacy, and an oath of office, which last is recited in the commission; but not a word is said of the mode and form, in which the oaths should be taken; neither was it said that they should be taken 'as the English law required.' They were therefore left at their liberty, to take them in any form which was agreeable to their conscience, or their former usage.

In the same page (491) he says; 'An Assembly was soon called, which, by means of the usual intrigues, was composed of persons, extremely favorable to the projects of those who now engrossed power.' And in a note (page 507) 'the Council transmitted to the towns, a list of those who should be allowed to vote.'

With what propriety can it be said that these gentlemen *engrossed* power, when they were commissioned by the King;

and it is acknowledged, that not only their appointment, but their entering on office, was contrary to their inclinations ?

That the persons chosen into the Assembly should be 'favorable' to the sentiments of the Council, or of 'the wise men of Boston,' was not the result of any intrigues ; but because the majority of the people were of the same mind. As to sending 'a list of those who should be 'allowed to vote ;' the true state of the matter was this. The commission provided for the calling of an Assembly, within three months after the Council should be sworn, by summons under seal, 'using 'and observing therein such rules and 'methods, as to the persons who are to 'choose the deputies, and the time and 'place of meeting, as they (the Council) 'shall judge most convenient.' The mode which they judged most convenient was, to order the select men of the four towns, to take a list of the names and estates of their respective inhabitants, according to their usual manner of making taxes, and send it to the Council. The Council then issued an order, appointing *the persons*

P R E F A C E. vii

sons therein named, to meet in their respective towns, and elect by a major vote, three persons from each, to represent them in a general Assembly, on the 16th of March; and in the order, there is this proviso, 'Provided that wee do not intend that 'what is now done be presidential for 'the future, and that it shall extend noe 'farther, than to the calling this first 'assembly.'

Now as the rules and methods of calling an assembly, and the persons who were to choose deputies, were left to the discretion of the Council; what more proper method could they have taken, than to call for a list of the inhabitants and their estates, and by that means to determine, who were qualified in point of property and habitancy to be electors? And as the numbers were few, and the persons well known, was it not as proper to name them at once, in the writs, as to establish qualifications, and appoint other persons to judge of those qualifications; especially when there was no law in force by which they could be judged? It is observable that each voter was ordered to take the oath of al-

legiance if he had not taken it before; and in the list of names in the book, a mark is set against several persons, who did not take the oath; and another against those who did not appear at the election. Has this the appearance of *intrigue*?

In page 492, he says, ‘they were extremely slow in conforming to present requisitions, and passed no laws during the first session.’ Having again consulted the records, I find in the Journal of the Council this entry, ‘At a general Assembly held in Portsmouth, the 16th of March, 1679—80. Present, &c. Sundry laws and ordinances made *at this session* are in another booke, for that purpose.’

In that other book, a body of laws is recorded, in the same hand writing, viz. of Stileman the Secretary, which bears the following title; ‘The general laws and liberties of the Province of New-Hampshire, made by the general Assembly in Portsmouth, the 16th day of March, 1679—80, and approved by the President and Council.’

It appears from the books, that this
Assembly

P R E F A C E. ix

Assembly held four sessions within the year, viz. on the 16th of March, the 7th of June, the 12th of October, and the 7th of December. As there is not a particular date to each law, but the whole code bears the date of the first session in March; it may fairly be inferred, that the business was begun in the first session, and continued through the other three; and when completed, was immediately sent to England; for Mr. Chalmers himself tells us, that ‘the laws which they transmitted, in conformity to their Constitution, had not the good fortune to please, and were disapproved of, by the Lords of the Committee of Plantations, *in Dec. 1681.*’

From this statement it may be concluded, that they were not slower in ‘effaying their legislative talents,’ than the necessity of proceeding with due deliberation required; and that there was no just cause for the reproach which he has cast upon them.

In page 494, he gives this account of the character of the people of New-Hampshire. ‘When CRANFIELD arrived, he found the Province containing four thousand inhabitants, extremely poor from

P R E F A C E.

‘ from the devastation of the Indian war.
‘ But when he spoke contemptuously of
‘ the country which he had been sent to
‘ rule, he seems not to have reflected, that
‘ all Colonies had once known the like
‘ paucity of numbers, the same weakness,
‘ and the same poverty ; animated only
‘ by a *diffimilar spirit* from that of New-
‘ Hampshire, which now disdained that
‘ *independence on her neighbours*, that other
‘ Provinces had contended for, with en-
‘ thusiasm. And other plantations, actu-
‘ ated by very different maxims, had not
‘ complained, even in their weakest days,
‘ of their inability to defend their fron-
‘ tiers, against the attacks of a foe, that
‘ has never proved dangerous, except to
‘ the *effeminate*, the factious, or the *cow-*
‘ *ardly*. When New Plimouth consisted
‘ only of two hundred persons, of all ages
‘ and sexes, it repulsed its enemies and se-
‘ cured its borders, with a gallantry wor-
‘ thy of its parent country ; because it
‘ stood alone, in the desert, without hope
‘ of aid.’

That the people of New-Hampshire
ever deserved the character of *effeminate* or
cowardly,

P R E F A C E xi

cowardly, can by no means be admitted. Innumerable facts evince the contrary beyond a doubt. Had this author ever resided among them, especially in time of war, he would have thought quite otherwise of them. That the native savages have 'never proved a *dangerous* foe, to 'any but the effeminate, the factious and 'the cowardly,' is an assertion totally unfounded. Their manner of attacking was always by surprise, and the bravest and best men may sometimes be deficient in vigilance, where no suspicion of danger exists.

If the people of New-Hampshire 'dained independence,' let it be considered, that they had been, for about 40 years, connected with Massachusetts, to their mutual satisfaction ; and the proposed 'independence' which he means was but another name for subjection to a landlord. When independence, in its genuine meaning, became necessary, in 1776, they freely joined with their brethren in asserting it, and in bravely defending it.

Without any disparagement to the first settlers of Plymouth, who, from the year

1643,

xii P R E F A C E.

1643, were protected by a confederacy of the four New-England Colonies, it may with truth be said, that the people of New-Hampshire were never behind them, in vigorous exertions for their own defence, when they were conducted by officers in whom they could place confidence; but in Cranfield's time, there was no war with the Indians; though he attempted to frighten them into an apprehension of danger, from the Indians, to serve his own purposes.

The account which Mr. Chalmers gives of Cranfield's administration differs not very materially from mine, except in one instance. He represents 'the ministers as 'very attentive to him, because they 'deemed him gained over to the Independ- 'ents.' I have met with no evidence of this; the deception, if any, must have been very short lived.

Mr. Chalmers says nothing of the prosecution of Moody, and of Cranfield's endeavours to ruin him, for his non-conformity to the Church of England; but tells us that he 'deemed it unsafe, to remain any longer among the ministers, 'who

P R E F A C E. xiii

‘who ruled an enthusiastic people, with
 ‘the same sway as did the popish clergy
 ‘during the darkest ages ;’ and that in his
 letters to England, he ‘gave warning,
 ‘that while the clergy were allowed to
 ‘preach, no true allegiance would be
 ‘found in those parts.’ This may be con-
 sidered as a corroborating evidence of his
 bigotry and intolerance. Truth obliges me
 to add, that his opponents were not defi-
 cient in those unhappy qualities, which were
 too much in fashion among all parties in
 that age.

Mr. Chalmers concludes his account of
 New-Hampshire in these words. ‘Being
 ‘excluded from the charter granted to
 ‘Massachusetts, it has continued to the
 ‘present time, a different, though *inconfid-*
 ‘*erable* settlement ; irregular and factious
 ‘in its economy, affording no precedents
 ‘that may be of exemplary use to other
 ‘Colonies.’ What justice there is in this
 remark, the reader will be able to deter-
 mine, from the following portion of its
 history, which, after much unavoidable
 delay, is now submitted to his perusal.

Boston, August 1, 1791.

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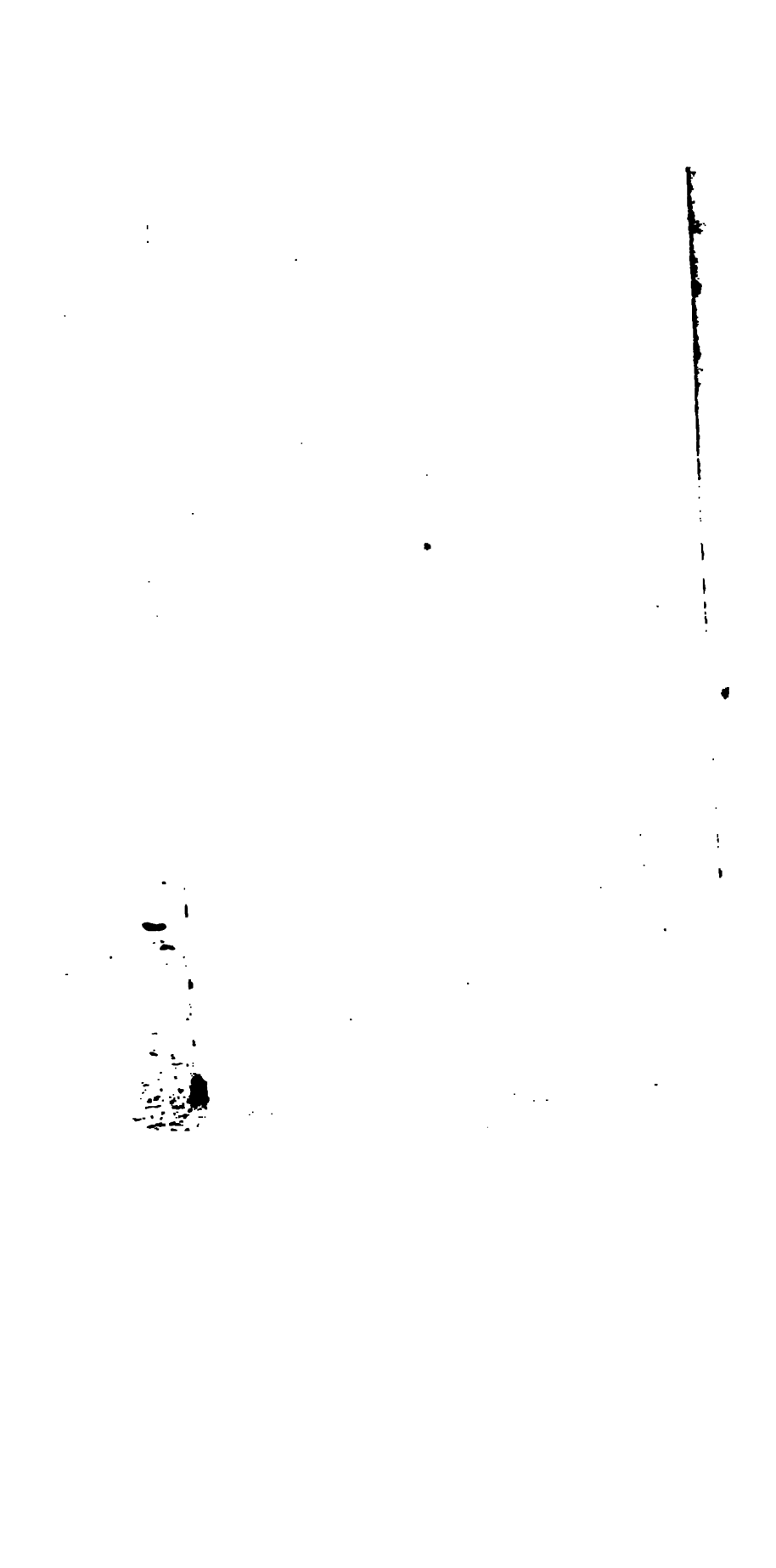
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C H A P.



H A P. XIII.

*ration of Governor SHUTE, and
enants, VAUGHAN and WENT-*

GE VAUGHAN, Esq. was the 1715.
of Major William Vaughan,
en so ill used by former Gov-
had suffered so much in the
country, that the advancement
, to the office of Lieutenant
was esteemed a mark of particu-
from the Crown to the Prov-
a singular gratification to the
n in the decline of life. The
Governor had been employed
ince, as their agent in England,
their defence against Allen.
was taken notice of, by some
quality and influence, with
father had been connected;
m he was recommended as a
for the honor to which he was
ced.
; had arrived, and opened his
; Dudley, though not actually
superfeded,

oa. 13.

1715. superseded, yet daily expecting Burges to
 succeed him, did not think it proper to

Nov. 8.

come into the Province, or perform any
 acts of government; so that, during a
 year, Vaughan had the sole command. In

1716.

August 21.

Assembly
 Records.

MS letter
 of Sir W.
 Ashurst to
 Dr. J.
 Mather.

this time he called an Assembly, who grant-
 ed him the product of the impost and ex-
 cise, for one year, but refused to establish
 these duties for any longer time; upon
 which he dissolved them, and called another;
 to whom he recommended, in a style
 too peremptory, the establishment of a
 perpetual revenue to the Crown; a matter
 in which he had been so much engaged,
 that while in England, 'he presented a
 ' memorial to the King and Ministry, to
 ' bring New-England into the land tax of
 ' Great Britain; and proposed that a Re-
 ' ceiver should be appointed by the Crown.'
 The Assembly was of opinion, that the
 public charges might be defrayed in the
 usual manner, by an equal tax on polls
 and estates; and declined laying an im-
 post, or entering on any, but the common
 business of the year, till the arrival of a
 Governor.

Oct. 17.

When Governor Shute came to the
 chair, several of the old Counsellors were
 laid aside, and six new ones appointed, all
 of

of whom were inhabitants of Portsmouth. 1716.
 That town, at the same time, was unhappily agitated by a controversy, which had for some years subsisted between the two parishes. This had not only imbibited the minds of the people, but had prejudiced some of the members of the Council and Assembly; so as to affect the proceedings of the Legislature, and break the harmony, which had been preserved in that body, during the preceding administration. The Governor, in his first speech to the Assembly, took notice of their division, and advised them to unanimity. 1717.
 They thanked him for his advice, but remonstrated against the removal of the old Counsellors, and the confining of the new appointments, both in the Council and the Judicial Courts, to residents in one town, as being contrary to former usage, and giving an advantage, to the trading, above the landed interest. This, they said, was the reason that an impost could not now be obtained, and that the whole burden of taxes was laid on the husbandman, and the laborer, who had been greatly impoverished by the late war. The Governor wisely avoided an answer to this remonstrance, by putting it on the Council, who were

Jan. 10.

Jan. 23.

1717. were a party in the controversy. The
 Jan. 28. Council, in their answer, acknowledged
 that the Province had been much distressed
 by the war ; but had in a great measure
 recovered ; that there would have been no
 opposition to an impost, if the Representatives
 had agreed to an act of export, according to
 the practice in England ; that the King had
 a right to appoint his Counsellors, from any
 part of the Province ; that it was an affront
 to the prerogative to find fault with the
 exercise of this right ; and that it was most
 convenient for the affairs of government,
 especially upon sudden emergencies, that
 the Council should reside near the seat of
 government. This answer might have
 appeared decent enough if they had not
 added, that they were ‘ gentlemen of the
 best quality, and greatest ability to serve
 the government, in that station ; and had
 as good or better estates in land, and land
 securities, than any in the House, and not
 inferior to the gentlemen who were laid
 aside.’

While these altercations were in hand
 there was a great complaint of the scarcity
 of money, and some expedient was judged
 necessary to supply the place of current
 coin. A proposal was made to issue
 sue

sue ten thousand pounds in bills, on loan, 1717.
 for twenty-three years, at five per cent. on 23
 land security. In this both Houses agreed; Jan. 24.
 but the next day the Council proposed to
 enlarge the sum to fifteen thousand pounds,
 to which the House would not consent.
 The Governor then ordered the House to
 attend a conference with the Council;
 they desired to know on what subject; he
 gave them no answer, but commanded
 their attendance. Having conferred a-
 bout the proposed loan to no purpose, the
 circumstance of asking on what subject
 they were to confer was deemed an affront,
 and served as a pretext for dissolving them.
 The next assembly was more pliant, and
 issued fifteen thousand pounds, on loan, Assembly
Records.
 for eleven years, at ten per cent.

A controversy also arose between the
 Governor and Lieutenant Governor about
 the power of the latter, in the absence of
 the former. Vaughan contended, that
 when the Governor was present in his other
 Province, he was absent from New-Hamp-
 shire, and consequently that the adminis-
 tration devolved on him. The position
 was a metaphysical truth, but the infer-
 ence was to be measured by political rules.
 Shute alleged that his commissions, being
 published

1717. published and recorded, in New-Hampshire and Massachusetts, he had the power of commander in chief over both Provinces, during his residence in either; and thought it an absurdity to suppose, that the King had appointed the Governor commander in chief, for five or six weeks only in the year, and the Lieutenant Governor during the rest of the time; and that if the Lieutenant Governor should happen, in that time, to step over the Province line, the senior Counsellor must take the chair; this he said would make the Province 'a monster with three heads.' The controversy was soon brought to an issue; for Vaughan received an order from Shute, while at Boston, to appoint a fast, which he did not obey; he received another to prorogue the Assembly, instead of which he dissolved them, without the advice of Council. He required the opinion of the Council on the extent of his power, but they declined giving it. Penhallow, the Governor's chief friend, was a warm opposer of Vaughan's pretensions, and incurred so much of his displeasure, that he publicly charged him with sowing discord in the government, and suspended him from his seat in Council. On hearing this,
Shute

Sept. 24.

NEW-HAMPSHIRE.

23

Shute hasted to Portsmouth, and having summoned the Council, ordered the King's instruction to him for suspending Counsellors to be read, and demanded of Vaughan whether he had any instruction which superseded it. He answered, No. The Governor then asked the Council's advice whether the suspension of Penhallow was legal; they answered in the negative. He then restored him to his seat, and suspended Vaughan.

1717.

Council
Minutes.

The Assembly, which Vaughan had assumed the right to dissolve, met again, and approved the proceedings against him, justifying the construction which the Governor had put on his commission, and his opinion of the extent of the Lieutenant Governor's power; which was 'to observe such orders, as he should from time to time receive from the King or the Governor in chief.' The Representatives of Hampton presented a remonstrance; in which, admitting the Lieutenant Governor's opinion that 'when the Governor is out of the Province, the Lieutenant Governor is impowered to execute the King's commission,' and asserting that the Governor was not in the Province when the Lieutenant Governor dissolved the Assembly,

Assembly
Records.

1717. bly, they declared that they could not act with the House, unless they were re-elected. This remonstrance was deemed a libel, and the Governor in Council having summoned them before him, laid them under bonds of four hundred pounds each, for their good behaviour. He then issued a proclamation, asserting his sole power, as commander in chief; and declaring that the Lieutenant Governor had no right to exercise any acts of government without his special order.

Council
Minutes.

Penbal-
low's MSS.

To maintain a controversy with a superior officer on the extent of power, equally claimed by both, requires a delicacy and address which does not fall to the lot of every man. An aspiring and precipitate temper may bring on such a contention, but disqualifies the person from managing it with propriety. Had Vaughan proposed to submit the question to the King, he would have acted more in character, and might have preserved his reputation, though he had lost his power. But having offended the Governor, and disgusted the Council and Assembly, he could hope for no favor from the Crown. When the report of the proceedings was sent to England, Sir William Ashurst, who had great interest

interest at Court, and was a friend to New-England, and who greatly disrelished the memorial which Vaughan had formerly presented to the King, easily found means to displace him ; and in his room was appointed JOHN WENTWORTH, Esq. whose commission was published on the seventh of December. The celebrated Mr. Addison, being then Secretary of State, this commission is countersigned by a name particularly dear to the friends of liberty and literature.

1717.

Ashurst's
letter MS.

Orig. MS.

John Wentworth, Esq. grandson of William Wentworth, formerly mentioned as one of the first settlers of the country, had been in the early part of his life, commander of a ship ; and had acquired a handsome fortune by mercantile industry. Without any superior abilities or learning, by a steady attention to business, and a prudent obliging deportment, he had recommended himself to the esteem of the people. Having been five years in the Council, before his appointment as Lieutenant Governor, he had carried the same useful qualities into public life, and preserved or increased that respect which he had acquired in a private station. The rancour of contending parties made moderation

1717. eration a necessary character in a chief magistrate; and the circumstances of the Province, at that time, required a person of experience in trade, at its head.

It being a time of peace, after a long and distressing war, the improvement of which the Province was capable, in regard to its natural productions, lumber and naval stores, rose into view and became objects of close attention both here and in England. As early as 1668, the government of Massachusetts, under which the Province then was, had reserved for the public use all white pine trees of twenty-four inches in diameter, at three feet from the ground. In King William's reign, a surveyor of the woods was appointed by the Crown; and an order was sent to the Earl of Bellamont, to cause acts to be passed in his several governments for the preservation of the white pines. In 1708 a law made in New-Hampshire prohibited the cutting of such as were twenty-four inches in diameter, at twelve inches from the ground, without leave of the surveyor; who was instructed by the Queen, to mark with the broad arrow, those which were or might be fit for the use of the navy, and to keep a register of them. What-

ever

NEW-HAMPSHIRE.

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ever severity might be used in executing the law, it was no difficult matter for those who knew the woods and were concerned in lumber, to evade it; though sometimes they were detected and fined. Great complaints were frequently made of the destruction of the royal woods; every Governor and Lieutenant Governor had occasion to declaim on the subject in their speeches and letters; it was a favorite point in England, and recommended them to their superiors as careful guardians of the royal interest. On the other hand, the people made as loud complaints against the surveyor, for prohibiting the cutting of pine trees, and yet neglecting to mark such as were fit for masts; by which means many trees, which never could be used as masts, and might be cut into logs for sawing, were rotting in the woods; or the people who got them were exposed to a vexatious prosecution. When no surveyor was on the spot, the Governor and Council appointed suitable persons to take care that no waste should be made of the mast trees; and these officers, with a very moderate allowance, performed the duty, to much better purpose, than those who were sent from England and maintained at a great expense to the Crown.

1717.

Usher's
MSS.

Council &
Assembly
Records.

Penhal-
low's MSS.

Assembly
Records.

As

1718. As those trees which grew within the limits of the townships were deemed private property, the people were desirous to get other townships laid out, that the trees might be secured for their own use. This was a difficult point. The Assembly, in 1704, during the controversy with Allen, had explicitly disclaimed all title to the waste lands, by which they understood all those without the bounds of their towns. The heirs of Allen kept a jealous eye upon them. Usher, who claimed by mortgage from Governor Allen, was still living, and was daily inviting purchasers by advertisements. The heir of Sir Charles Hobby, whose claim was founded on purchase from Thomas Allen, had offered his title to the Assembly, but they had refused it. The creditors of Hobby's estate had applied for letters of administration; and though the matter had been, by the Judge of Probate, submitted to the General Court, and by their advice suspended, yet the letters had been granted. Allen's other heirs were in a state of minority in England; but their guardian was attentive to their interest. The controversy had become more complex than before; and the claimants, however multiplied in number and discordant in their views,

N. England
Courants.

Assembly
Records.

Print. state
of Allen's
title.

views, yet had an interest separate from that of the public. The royal determination could not be had, but on an appeal from a verdict at law ; but no suits were now pending ; nor could the lands be granted by royal charter, without seeming to intrench on the property of the claimants. Notwithstanding these difficulties, the necessity of extending the settlements, and improving the natural advantages of the country, was too apparent to be neglected.

1718.

Great quantities of iron ore were found in many places ; and it was in contemplation to erect forges on some of the rivers, and to introduce foreign artists and laborers to refine it. A law was made laying a penalty of ten pounds per ton, on the transporting of it out of the province ; but for the further encouragement of the manufacture, it was deemed necessary, that some lands should be appropriated, to the purpose of supplying with fuel, the iron works which were to be erected, on Lamprey river, and of settling the people who were to be employed in that service. On this occasion, it was recollected, that in 1672, while this Province was subject to the Massachusetts government, and after the

1719.

Laws
Chap. 90.

Council
Minutes.

town

1719. town of Portsmouth had made a liberal contribution for the rebuilding of Harvard College, a promise had been made by the General Court to grant to that town a quantity of 'land for a village, when they should declare to the court the place where they desired it.' Upon this, a petition was presented to the Governor and Council praying for a fulfilment of this promise; and after some hesitation, a grant was made of a slip of land two miles in breadth, above the head line of Dover, for the use of the iron works, which was called the 'renewing a grant formerly made.' This was known by the name of the two mile slip, and it was afterward included in the township of Barrington.

Maff. Rec.

Council
Minutes.

Council
Minutes.

Laws.
Chap 19.

Chap. 94.

In some parts of the Province, were many pitch pine trees, unfit for masts, but capable of yielding tar and turpentine. A monopoly of this manufacture had been attempted by a company of merchants; but when many thousand trees were prepared for use they were destroyed by unknown hands. Afterward a law was made providing that tar should be received in lieu of taxes, at twenty shillings per barrel. This encouraged the making of it for some time. Another law laid a penalty

alty on the injuring of trees for drawing turpentine. But private interest was too strong to be counteracted by a sense of public utility. Too many incisions being made in the trees at once, they were soon destroyed; and as those which were near at hand became scarce, the manufacture was gradually discontinued. 1719.

Hemp was another object. Some had been sown, and from the specimen of its growth, much advantage was expected. An act was made to encourage it; and it was allowed to be received at the treasury, in lieu of money, at one shilling per pound. But as there was scarcely land enough in cultivation, for the production of corn, it was vain to think of raising a less necessary commodity. Chap. 94.

The Parliament of England was attentive to the advantages which might be derived to the nation from the Colonies, to which they were particularly incited by the war, which at this time raged between Sweden and Russia, the grand marts for naval stores in Europe. A duty which had been paid on lumber imported from America, was taken off; and this was esteemed so great a favor to New-Hampshire that the Assembly thanked Shute for the

1719. the share he had in obtaining it. About
 ~~~~~ the same time, an act of Parliament was  
 made for the preservation of the white  
 pines. Penalties in proportion to the size  
 of the trees, were laid on the cutting of  
 those which grew without the bounds of  
 townships; and for the greater terror,  
 these penalties were to be recovered by the  
 oath of one witness, in a court of Admi-  
 ralty; where a single Judge, appointed by  
 the Crown, and removeable at pleasure,  
 determined the cause without a Jury.  
 While this bill was pending, Henry New-  
 man, the agent for New-Hampshire, peti-  
 tioned against the severity of it, but with-  
 out effect.

Statute of  
 George I.  
 Chap 12.

MS peti-  
 tion.

Great inconveniencies had arisen for  
 want of a due settlement of the limits of  
 the Province. The people who lived  
 near the supposed line, were sometimes  
 taxed in both Provinces, and were  
 liable to arrests by the officers of  
 both; and some times the officers them-  
 selves were at variance, and imprisoned  
 each other. Several attempts had been  
 made to remove the difficulty, and letters  
 frequently passed between the two Courts  
 on the subject, in consequence of petitions  
 and complaints from the borderers. In

1716

1716, Commissioners were appointed by both Provinces, to settle the line. The New-Hampshire Commissioners were furnished by Lieutenant Governor Vaughan, with a copy of the report of the Lords Chief Justices in 1677, and were instructed 'to follow the course of the river Merrimack, at the distance of three miles north as far as the river extends.' The commissioners on the other side complained that this power was not sufficient; if by sufficient it was meant that they had no power to vary from their instructions, the objection was true, but why this should have been objected it is not easy to account, since the instructions would have given Massachusetts all which they could claim by virtue of their old charter; or the judgment upon it, on which they always laid much stress. Three years afterward the affair was agitated again, in obedience to an order from the Lords of trade; who directed a map to be drawn and sent to them, in which the boundaries of the Province should be delineated, and the best accounts and vouchers procured to elucidate it. Commissioners were again appointed to meet at Newbury; and those from New-Hampshire were instructed by Lieutenant Governor Wentworth

1719.

Original  
MS in-  
structions.

MS letter  
Lt. Govern-  
or Went-  
worth.

Original  
MS order.

Original  
MS in-  
structions.

to

1719. to confer with the others; and if they could agree, in fixing the place where to begin the line, they were to report accordingly; but if not, they were to proceed *ex parte* 'setting their compass on the north side of the mouth of Merrimack river at high water mark, and from thence measuring three miles on a north line, and from the end of the first three miles on a west line, into the country, till they should meet the great river which runs out of Winipisiogee pond.' To this idea of a west line, the Massachusetts Commissioners objected; and desired that the commission of the Governor of New-Hampshire might be sent to Newbury, which was refused, and the conference ended without any agreement. However, a plan was drawn, agreeably to these instructions, and sent to the Lords of trade; and Newman the agent was instructed to solicit for a confirmation of it. In these instructions, the ideas of the gentlemen in government are more fully expressed. The due west line on the southern side of the Province, they supposed, ought to extend as far as Massachusetts extended. The line on the northerly side adjoining to the Province of Maine, they supposed, ought to be drawn, up the middle of the river Pascataqua,

aqua, as far as the tide flows in the New-  
 wichwannock branch ; and thence north-  
 westward, but whether two or more points  
 westward of north was left for further  
 consideration. 1719.

While these things were in agitation,  
 the Province unexpectedly received an ac-  
 cession of inhabitants from the north of  
 Ireland. A colony of Scots presbyterians  
 had been settled in the Province of Ulster, Hume,  
 in the reign of James I ; they had borne a  
 large share in the sufferings, which the  
 protestants in that unhappy country un-  
 derwent, in the reign of Charles I and  
 James II ; and had thereby conceived an  
 ardent and inextinguishable thirst for civil  
 and religious liberty. Notwithstanding  
 the peace which Ireland had enjoyed, since  
 the subjection of the Popish party by King  
 William, some penal laws were still in  
 force ; which, with the inconvenience of  
 rents and tithes, made these people wish  
 for a settlement in America ; where they  
 might be free from these burthens and  
 have full scope for their industry. One  
 Holmes, a young man, son of a clergyman,  
 had been here and carried home a favora-  
 ble report of the country, which induced  
 his father, with three other presbyterian  
 Ministers,

MS of  
 John Har-  
 vey.

1719. Ministers, James Macgregore, William Cornwell, and William Boyd, and a large number of their congregations, to resolve on an emigration. Having converted their substance into money, they embarked in five ships, and about one hundred families of them arrived at Boston. Cornwell, with about twenty families more, arrived at Casco. They immediately petitioned the Assembly of Massachusetts for a tract of land; who gave them leave to look out a settlement of six miles square, in any of the unappropriated lands at the eastward. After a fruitless search along the shore, finding no place that suited them there; sixteen families, hearing of a tract of good land, above Haverhill, called Nutfield (from the great number of chesnut and walnut trees there) and being informed that it was not appropriated, determined there to take up their grant; the others dispersed themselves into various parts of the country.

Oa. 14.  
1718.

April 11. As soon as the spring opened, the men went from Haverhill, where they left their families, and built some huts near a brook which falls into Beaver River, and which they named West-running brook. The first evening after their arrival, a sermon was preached to them under a large oak, which

which is to this day regarded with a degree of veneration. As soon as they could collect their families, they called Macgregore to be their minister, who since his arrival in the country had preached at Dracut. At the first sacramental occasion, were present two ministers and sixty-five communicants. Macgregore continued with them till his death; and his memory is still precious among them; He was a wise, affectionate and faithful guide to them, both in civil and religious concerns. These people brought with them the necessary materials for the manufacture of linen; and their spinning wheels, turned by the foot, were a novelty in the country. They also introduced the culture of potatoes, which were first planted in the garden of Nathaniel Walker of Andover. They were an industrious, frugal and consequently thriving people.

1719.  
March 5,  
1729.  
Æta 52.

They met with some difficulty in obtaining a title to their lands. If the due west line between the Provinces had been established, it would have passed through their settlement and divided it between Massachusetts and New-Hampshire; but the curve line, following the course of Merrimack at three miles distance, would leave them unquestionably in New-Hamp-



1719. shire. This was the idea of the General Court of Massachusetts, who, upon application to them for a confirmation of their former grant, declared them to be out of their jurisdiction. Among the many claimants to these lands, they were informed, that Col. Wheelwright of Wells had the best Indian title, derived from his ancestors. Supposing this to be valid in a moral view, they followed the example of the first settlers of New-England, and obtained a deed of ten miles square, in virtue of the general license granted by the Indian Sagamores in 1629. To prevent difficulty from Allen's claim, they applied for leave of settlement to Col. Usher, who told them that the land was in dispute, and that he could not give them leave, but that he supposed they might settle on it, if they would hold it either of the King or of Allen's heirs, as the case might be determined. They also applied to the Lieutenant Governor of New-Hampshire, who declined making them a grant in the King's name; but, by advice of Council, gave them a protection, and extended the benefit of the law to them; appointing James McKean to be a Justice of the Peace, and Robert Wier a Deputy Sheriff.

Some

Usher's  
MSS.

Council  
Minutes.

Some persons who claimed these lands, by virtue of a deed of about twenty years date, from John, an Indian Sagamore, gave them some disturbance; but, having obtained what they judged a superior title, and enjoying the protection of government, they went on with their plantation; receiving frequent additions of their countrymen, as well as others, till in 1722, their town was incorporated by the name of Londonderry, from a city in the north of Ireland, in and near to which most of them had resided; and in which some of them had endured the hardships of a memorable siege.\*

1720.

Harvey's  
& Macgregor's MSS

The settlement of these emigrants, on the waste lands, opened the way for other plantations. Those who had borne the burthens and distresses of war, in defending

\* John Barr, William Caldwell and Abraham Blair, with several others who had suffered in this siege, and came to America, were by King William's special order made free of taxes through all the British dominions.

This, with several other circumstances relating to these people, I took from a manuscript letter written (1729) by Mr. John Harvey, schoolmaster in Londonderry, to Mr. Prince. In the same letter was the following brief account of the siege above mentioned. 'Londonderry was besieged near half a year (1689) by King James's army, when he had all Ireland subdued but Derry and a little place hard by. The besieged defended the city, most of them being presbyterians, till they were very much pinched by famine, that a dog's head was sold cheap enough at half a crown; and yet God supported them until King William sent them relief by two ships with men and provisions from England; at which sight, before the ships got up to the city and landed their men, the besiegers moved their camp and fled to the west of Ireland, where afterwards two bloody battles were fought and the papists subdued.

C 4

'Two

1720. ing the country, had long been circumscribed within the limits of the old towns ; but were now multiplied, and required room to make settlements for their children. They thought it hard to be excluded from the privilege of cultivating the lands, which they and their fathers had defended ; while strangers were admitted to sit down peaceably upon them. These were weighty reasons. At the same time no attempt was making, by any of the claimants, to determine the long contested point of property ; and in fact, no person could give a clear and undisputed title to any of the unfettled lands.

In these circumstances, a company of about one hundred persons, inhabitants of Portsmouth, Exeter and Haverhill, petitioned for liberty to begin a plantation, on the northerly part of the lands called 1721. Nutfield. These were soon followed by petitioners from the other towns, for the lands which lay contiguous to them. The Governor

‘Two things further (says he) I have to relate respecting Derry, 1. The church of Derry is so strongly built with stone and lime that in the steeple they had a cannon fixed, which did more hurt to the Irish army than six upon the walls. 2. There was one Col. Murray in the siege. He and a party were out against the enemy, and having got the advantage in an engagement with them a mile from the walls, the enemy’s General, who was a Frenchman, and he, met ; and having both fired their pistols, drew their swords, and the General having a coat of mail, had the advantage of Murray, so that he could not hurt him. At length Murray observing that there was no touching him but through the harness in his face, put his sword in through the bars of the harness and killed him. They made a great slaughter that day.’ Nothing

## NEW-HAMPSHIRE.

48

Governor and Council kept the petitions suspended for a long time; giving public notice to all persons concerned to make their objections. In this time the lands were surveyed, and the limits of four proposed townships determined; and the people were permitted to build and plant upon the lands 'provided that they did not infringe on, or interfere with, any former grants, possessions or properties.' Some of these lands were well stocked with pine trees; which were felled in great abundance; this occasioned a fresh complaint from the King's surveyor,

1721.

April 21.  
Council  
Records.

At length, charters being prepared, were signed by the Governor; by which four townships, Chester, Nottingham, Barrington and Rochester were granted and incorporated. The grants were made in the name of the King, who was considered as the common guardian, both of the people and the claimants; but with a clause of reservation, '*as far as in us lies,*' that there might be no infringement on the claims.

1722.

May 10.

The

Nothing was more offensive to these emigrants than to be called IRISH. Macgregore in a letter to Governor Shute, (1720) says: 'We are surprised to hear ourselves termed Irish people, when we so frequently ventured our all for the British Crown and liberties against the Irish papists; and gave all tests of our loyalty, which the government of Ireland required, and are always ready to do the same when demanded.'

The people of this country did not understand the distinction; nor in fact did they treat these strangers with common decency on their first arrival. The grudge subsisted a long time, but is now worn out.

1722.



The signing of these grants was the last act of Government performed by Shute in New-Hampshire. A violent party in Massachusetts had made such strenuous opposition to him and caused him so much vexation, as rendered it eligible for him to ask leave to return to England. He is said to have been a man of a humane, obliging and friendly disposition; but having been used to military command, could not bear with patience the collision of parties, nor keep his temper when provoked. Fond of ease, and now in the decline of life, he would gladly have spent his days in America if he could have avoided controversy. The people of New-Hampshire were satisfied with his administration, as far as it respected them; and though they did not settle a salary on him as on his predecessor, yet they made him a grant twice in the year, generally amounting to a hundred pounds, and paid it out of the excise which was voted from year to year. This was more in proportion, than he received from his other government. On his departure for England, which was very sudden and unexpected, Lieutenant Governor Wentworth, took the chief command, in a time of distress and perplexity; the country being then involved in another war with the natives.

Assembly  
Records.

1723.

Jan. 1.

. CHAP.

## C H A P. XIV.

*The fourth Indian War, commonly called the three years war, or LOVEWELL'S war.*

**T**O account for the frequent wars with the eastern Indians, usually called by the French, the Abenakis, and their unsteadiness both in war and peace; we must observe, that they were situated between the Colonies of two European nations, who were often at war with each other, and who pursued very different measures with regard to them.

As the lands, on which they lived, were comprehended in the patents granted by the crown of England, the natives were considered by the English, as subjects of that crown. In the treaties and conferences held with them, they were styled the King's subjects; when war was declared against them, they were called rebels; and when they were compelled to make peace, they subscribed an acknowledgement of their perfidy, and a declaration of their submission to the government, without any just ideas of the meaning of those terms

terms ; and it is a difficult point, to determine what kind of subjects they were.

Beside the patents, derived from the Crown, the English in general were fond of obtaining from the Indians, deeds of sale for those lands, on which they were disposed to make settlements. Some of these deeds were executed with legal formality, and a valuable consideration was paid to the natives for the purchase ; others were of obscure and uncertain original ; but the memory of such transactions was soon lost, among a people who had no written records. Lands had been purchased of the Indian chiefs, on the Rivers Kennebeck and St. George, at an early period ; but the succeeding Indians either had no knowledge of the sales made by their ancestors, or had an idea that such bargains were not binding on posterity ; who had as much need of the lands, and could use them to the same purpose as their fathers. At first, the Indians did not know that the European manner of cultivating lands, and erecting mills and dams, would drive away the game and fish, and thereby deprive them of the means of subsistence ; afterward, finding by experience that this was the consequence of admitting foreigners to settle among them, they  
repented

repented of their hospitality, and were inclined to dispossess their new neighbours, as the only way of restoring the country to its pristine state, and of recovering their usual mode of subsistence.

They were extremely offended by the settlements, which the English, after the peace of Utrecht, made on the lands at the eastward, and by their building forts, block houses and mills; whereby their usual mode of passing the rivers and carrying-places was interrupted; and they could not believe, though they were told with great solemnity, that these fortifications were erected for *their* defence against invasion. When conferences were held with them on this subject, they either denied that the lands had been sold, or pretended that the Sachems had exceeded their power in making the bargains; or had conveyed lands beyond the limits of their tribe; or that the English had taken advantage of their drunkenness to make them sign the deeds; or that no valuable consideration had been given for the purchase. No arguments or evidence which could be adduced would satisfy them, unless the lands were paid for again; and had this been done once, their posterity after a few years would have renewed the demand.

Governor  
Shute's  
conference  
1717.

Waldo's  
defence of  
Loveret's  
title.

On



Abbe  
Raynal.

On the other hand, the French did not in a formal manner declare them subjects of the crown of France; but every tribe, however small, was allowed to preserve its independence. Those who were situated in the heart of Canada kept their lands to themselves, which were never solicited from them; those who dwelt on the rivers and shores of the Atlantic, though distant from the French Colonies, received annual presents from the King of France; and solitary traders resided with, or occasionally visited them; but no attempt was made by any company to settle on their lands.

1717.

It was in the power of the English to supply them with provisions, arms, ammunition, blankets and other articles which they wanted, cheaper than they could purchase them of the French. Governor Shute had promised that trading houses should be established among them,\* and that a smith should be provided to keep their arms and other instruments in repair; but the unhappy contentions between the Governor and Assembly of Massachusetts prevented a compliance with this engagement. The Indians were therefore

\* The reader is desired to correct a mistake in the first volume, page 358, line 5, instead of 'truck houses established,' read 'it was in contemplation to establish truck houses.'

fore obliged to submit to the impositions of private traders, or to seek supplies from the French ; who failed not to join with them in reproaching the English for this breach of promise, and for their avidity in getting away the land. 1717.

The inhabitants of the eastern parts of New-England were not of the best character for religion, and were ill adapted to engage the affections of the Indians by their example. The frequent hostilities on this quarter, not only kept alive a spirit of jealousy and revenge in individuals, but prevented any endeavors to propagate religious knowledge among the Indians by the government ; though it was one of the conditions of their charter ; and though many good men wished it might be attempted. At length Governor Shute, in his conference with their Sachems at Arrowfic, introduced this important business by offering them in a formal manner, an Indian bible, and a protestant missionary ; but they rejected both, saying ‘ God hath given us teaching already, and if we should go from it we should displease him.’ He would have done much better service, and perhaps prevented a war, if he had complied with their earnest desire to fix a boundary, beyond which the English should not extend their settlements.

Judge Sewal's memorial.

A gentleman

1717.

Penhal-  
low's MSS.

A gentleman, in conversation with one of their Sachems, asked him why they were so strongly attached to the French, from whom they could not expect to receive so much benefit as from the English; the Sachem gravely answered, 'Because the French have taught us to pray to God, which the English never did.'

Vol. 1,  
page 253.

It has been observed in the former part of this work, that the Jesuits had planted themselves among these tribes. They had one Church at Penobscot, and another at Norridgewog, where Sebastian Rallè, a French Jesuit, resided. He was a man of good sense, learning and address, and by a compliance with their mode of life, and a gentle, condescending deportment, had gained their affections so as to manage them at his pleasure. Knowing the power of superstition over the savage mind, he took advantage of this, and of their prejudice against the English, to promote the cause, and strengthen the interest of the French among them. He even made the offices of devotion serve as incentives to their ferocity, and kept a flag, in which was depicted a cross, surrounded by bows and arrows, which he used to hoist on a pole, at the door of his church, when he gave them absolution, previously to their engaging in any warlike enterprise.

New-Eng-  
land Cou-  
rant, No.  
160.

With

With this Jesuit, the Governor of Canada held a close correspondence ; and by him was informed of every thing transacted among the Indians. By this means, their discontent with the English, on account of the settlements made at the eastward, was heightened and inflamed ; and they received every encouragement, to assert their title to the lands in question, and molest the settlers, by killing their cattle, burning their stacks of hay, robbing and insulting them. These insolencies discouraged the people, and caused many of them to remove. The garrisons were then reinforced ; and scouting parties were ordered into the eastern quarter, under the command of Col. Shadrach Walton. By this appearance of force, the Indians, who dreaded the power of the English, were restrained from open hostilities. They had frequent parleys with the commanders of forts, and with commissioners who visited them occasionally ; and though at first they seemed to be resolute in demanding the removal of the English, declaring that ' they had fought for the land three times, ' and would fight for it again ; ' yet when they were told that there was no alternative but perfect peace or open war, and that if they chose peace they must forbear

1717.

1720.

Captain  
Penhal-  
low's MSS.

D

every

1720. every kind of insult, they seemed to prefer peace ; and either pretended ignorance of what had been done, or promised to make inquiry into it ; and as an evidence of their good intentions, offered a tribute of skins, and delivered up four of their young men as hostages.

Hutchinson II. 263.

This proceeding was highly disrelished by the Governor of Canada ; who renewed his efforts to keep up the quarrel, and secretly promised to supply the Indians with arms and ammunition ; though as it was a time of peace between the two crowns, he could not openly assist them.

The New-England governments, though highly incensed, were not easily persuaded to consent to a war. The dispute was between the Indians and the proprietors of the eastern lands, in which the public were not directly interested. No blood had as yet been shed. Canseau had been surprized and plundered, and some people killed there ; but that was in the government of Nova-Scotia. Rallè was regarded as the principal instigator of the Indians ; and it was thought, that if he could be taken off they would be quiet. It was once proposed to send the Sheriff of York County with a posse of one hundred and fifty

fifty men, to seize and bring him to Boston; but this was not agreed to. The next summer, Rallè in company with Castine from Penobscot, and Croisil from Canada, appeared among the Indians, at a conference held on Arrowfic Island, with Capt. Penhallow, the commander of the garrison, and brought a letter, written in the name of the several tribes of Indians, directed to Governor Shute; in which it was declared, 'that if the English did not remove in three weeks, they would kill them and their cattle, and burn their houses.' An additional guard was sent down; but the government, loth to come to a rupture, and desirous if possible to treat with the Indians separately from the French emissaries, invited them to another conference, which invitation they treated with neglect.

1721.

July.

In the succeeding winter, a party under Col. Thomas Westbrook was ordered to Noridgwog to seize Rallè. They arrived at the village undiscovered, but before they could surround his house, he escaped into the woods, leaving his papers in his strong box, which they brought off without doing any other damage. Among these papers were his letters of correspondence with the Governor of Canada, by which

1722. it clearly appeared, that he was deeply engaged in exciting the Indians to a rupture, and had promised to assist them.

June 13.  
Penhallow's  
Indian wars, p.  
85.

This attempt to seize their spiritual father, could not long be unrevenged. The next summer they took nine families from Merry-meeting bay, and after dismissing some of the prisoners, retained enough to secure the redemption of their hostages and sent them to Canada. About the same time they made an attempt on the fort at St. George's; but were repulsed with considerable loss. They also surprised some fishing vessels in the eastern harbours; and at length made a furious attack on the town of Brunswick, which they destroyed. This action determined the government to issue a declaration of war against them, which was published in form at Boston and Portsmouth.

July 25.


New-Hampshire being seated in the bosom of Massachusetts, had the same interest to serve, and bore a proportionable share of all these transactions and the expenses attending them. Walton, who first commanded the forces sent into the eastern parts, and Westbrooke, who succeeded him, as well as Penhallow, the commander of the fort at Arrowfic, were New-Hampshire men; the two former  
were


were of the Council. A declaration of war being made, the enemy were expected on every part of the frontiers; and the Assembly were obliged to concert measures for their security, after an interval of peace for about ten years. 1722.

The usual route of the Indians, in their marches to the frontiers of New-Hampshire, was by the way of Winipiseogee lake. The distance from Cochecho falls in the town of Dover, to the southeast bay of that lake, is about thirty miles. It was thought that if a road could be opened to that place, and a fort built there, the enemy would be prevented from coming that way. Orders were accordingly issued, and a party of two hundred and fifty men were employed in cutting down the woods for a road; but the expense so far exceeded the benefit which could be expected from a fort at such a distance, in the wilderness, to be supplied with provisions and ammunition by land carriage, which might easily be interrupted by the enemy, that the design was laid aside, and the old method of defence by scouts and garrisons was adopted. Lieutenant Governor Wentworth, being Commander in Chief in Shute's absence, was particularly careful to supply the garrisons with stores, and visit

Assembly  
Records.



1722.  them in person, to see that the duty was regularly performed; for which, and other prudent and faithful services, he frequently received the acknowledgments of the Assembly and grants of money, generally amounting to one hundred pounds at every session, and sometimes more. They also took care to enlist men for two years, and to establish the wages of officers and soldiers at the following rates; a Captain, at seven pounds per month; a Lieutenant, four pounds; a Sergeant, fifty-eight shillings; a Corporal, forty-five shillings; and a private, forty shillings. A bounty of one hundred pounds was offered for every Indian scalp. The difference between the currency and sterling, was two and an half for one.

1723.  The first appearance of the enemy in New-Hampshire, was at Dover; where they surprised and killed Joseph Ham, and took three of his children; the rest of the family escaped to the garrison. Soon after they waylaid the road, and killed Tristram Heard. Their next onset was at Lamprey River, where they killed Aaron Rawlins and one of his children, taking his wife and three children captive.\*

Penhallow  
page 96.

August 29.

The

\* 'This Aaron Rawlins (whose wife was a daughter of Edward Taylor, who was killed by the Indians 1704) lived upon the plantation  
' left

The next spring they killed James Nock, one of the elders of the church at Oyster River, as he was returning on horseback from setting his beaver traps in the woods.

1724.

May 1.  
MS of Rev.  
Hugh Adams.

Soon

left by Taylor, about half a mile west from Lamprey River landing, at the lower falls on Piscatack River. The people there at that time, commonly retired, at night, to the garrisoned houses, and returned home in the day time; but that night they neglected to retire as usual. His brother Samuel also lived about half a mile distant on the same river. It seems the Indian scout consisted of eighteen, who probably had been reconnoitering some time, and intended to have destroyed both the families, and for that purpose divided, and nine went to each house; but the party that went to Samuel Rawlins's, beating in the window, and finding the family gone, immediately joined their companions, who were engaged at Aaron's. His wife went out at the door, perhaps sooner than they would otherwise have assaulted the house, and was immediately seized, and one or two of her children who followed her. Her husband being alarmed, secured the door before they could enter, and with his eldest daughter, about twelve years old, stood upon his defence, repeatedly firing wherever they attempted to enter, and at the same time calling earnestly to his neighbors for help; but the people in the several garrisoned houses near, apprehending from the noise and incessant firing, the number of the enemy to be greater than they were, and expecting every moment to be attacked themselves, did not venture to come to his assistance. Having for some time bravely withstood such unequal force, he was at last killed by their random shots through the house, which they then broke open, and killed his daughter. They scalped him, and cut off his daughter's head, either through haste, or probably being enraged against her, on account of the assistance she had afforded her father in their defence, which evidently appeared by her hands being soiled with powder. His wife and two children, a son and a daughter, they carried to Canada: The woman was redeemed in a few years. The son was adopted by the Indians, and lived with them all his days; he came into Pennycook with the Indians after the peace, and expressed to some people with whom he conversed, much resentment against his uncle Samuel Rawlins, on supposing he had detained from his mother some property left by his father, but manifested no desire of returning to Newmarket again. The daughter married with a Frenchman, and when she was near sixty years old, returned with her husband to her native place, in expectation of recovering the patrimony she conceived was left at the death of her father: But the estate having been sold by her grandfather Taylor's administrator, they were disappointed, and after a year or two went back to Canada.

This account was collected from some of the surviving sufferers, and other aged persons who were witnesses of the scene, by Wentworth Cheswell, Esq. of Newmarket.

1724 <sup>May 16.</sup> <sup>MS of Rev.</sup> <sup>Ward</sup> <sup>Clark.</sup> Soon after they appeared at Kingston, where they took Peter Colcord and Ephraim Stevens, and two children of Ebenezer Stevens. They were pursued by scouts from Kingston and Londonderry, but in vain. Colcord made his escape in about six months, and received a gratuity of ten pounds from the Assembly, for his 'courage and ingenuity, and for the 'account he gave of the proceedings of 'the enemy.'

Assembly  
Records.

ay 24. On a sabbath day they ambushed the road at Oyfter River, and killed George Chesley, and mortally wounded Elizabeth Burnham, as they were returning together from public worship. In a few days more, five Indians took Thomas Smith and John Carr at Chester; and after carrying them about thirty miles, bound them and lay down to sleep; the captives escaped, and in three days arrived safe at a garrison in Londonderry.

Penhallow  
& Hugh  
Adams.

June 2.

New-Eng-  
land Cou-  
rant.

The settlements at Oyfter River being very much exposed; a company of volunteers under the command of Abraham Benwick, who went out on the encouragement offered by the government for scalps, were about marching to make discoveries. It happened that Moses Davis, and his son of the same name, being at work in their

June 10.

their corn field, went to a brook to drink, 1724.  
where they discovered three Indian packs. ~~~~~  
They immediately gave notice of this discovery to the volunteer company, and went before to guide them to the spot. The Indians had placed themselves in ambush; and the unhappy father and son were both killed. The company then fired, killed one and wounded two others, who made their escape, though they were pursued and tracked by their blood to a considerable distance. The slain Indian was a person of distinction, and wore a kind of coronet of scarlet dyed fur, with an appendage of four small bells, by the sound of which the others might follow him through the thickets. His hair was remarkably soft and fine; and he had about him a devotional book and a muster-roll of one hundred and eighty Indians; from which circumstances it was supposed that he was a natural son of the Jesuit Rallè, by an Indian woman who had served him as a laundress. His scalp was presented to the Lieutenant Governor in Council, by Robert Burnham, and the promised bounty was paid to Capt. Francis Matthews, in trust for the company.

Penhallow,  
p. 101.

Hugh Adams's MS.

Assembly  
Records.  
June 12.

Within the town of Dover were many families of Quakers; who, scrupling the lawfulness

1724. lawfulness of war, could not be persuaded to use any means for their defence; though equally exposed with their neighbours to an enemy who made no distinction between them. One of these people, Ebenezer Downs, was taken by the Indians, and was grossly insulted and abused by them, because he refused to dance as the other prisoners did, for the diversion of their savage captors. Another of them, John Hanson, who lived on the outside of the town, in a remote situation, could not be persuaded to remove to a garrison, though he had a large family of children. A party of thirteen Indians, called French Mohawks, had marked his house for their prey; and lay several days in ambush, waiting for an opportunity to assault it. While Hanson with his eldest daughter were gone to attend the weekly meeting of friends, and his two eldest sons were at work in a meadow at some distance; the Indians entered the house, killed and scalped two small children, and took his wife, with her infant of fourteen days old, her nurse, two daughters and a son, and after rifling the house carried them off. This was done so suddenly and secretly, that the first person who discovered it was the eldest daughter

at

June 27.

at her return from the meeting before her father. Seeing the two children dead at the door, she gave a shriek of distress, which was distinctly heard by her mother, then in the hands of the enemy among the bushes, and by her brothers in the meadow. The people being alarmed, went in pursuit; but the Indians cautiously avoiding all paths, went off with their captives undiscovered. After this disaster had befallen his family, Hanson removed the remainder of them to the house of his brother; who, though of the same religious persuasion; yet had a number of lusty sons, and always kept his fire-arms in good order, for the purpose of shooting game.\*

These and other insolencies of the enemy being daily perpetrated on the frontiers, caused the governments to resolve on an expedition to Norridgewog. The Captains

\* This account is given as collected from the information of the family. A narrative of their distresses is in print. The woman, though of a tender constitution, had a firm and vigorous mind, and passed through the various hardships of an Indian captivity, with much resolution and patience. When her milk failed, she supported her infant with water, which she warmed in her mouth, and dropped on her breast, till the squaws taught her to beat the kernel of walnuts and boil it with bruised corn, which proved a nourishing food for her babe. They were all sold to the French in Canada. Hanson went the next spring and redeemed his wife, the three younger children and the nurse, but he could not obtain the elder daughter of seventeen years old, though he saw and conversed with her. He also redeemed Ebenezer Downs. He made a second attempt in 1727, but died at Crown-point, on his way to Canada. The girl was married to a Frenchman, and never returned.

1724. tains Moulton and Harman, both of York, each at the head of a company of one hundred men, executed their orders with great address. They completely invested and surprised that village; killed the obnoxious Jesuit with about eighty of his Indians; recovered three captives; destroyed the chapel, and brought away the plate and furniture of the altar, and the devotional flag, as trophies of their victory. Rallè was then in the sixty-eighth year of his age, and had resided in his mission at Norridgewog twenty-six years; having before spent six years in travelling among the Indian nations, in the interior parts of America.

August 12.

Hutchinson II. 309.

New-England Courant.

MS of Hugh Adams.

The parties of Indians who were abroad, continued to ravage the frontiers. Two men being missing from Dunstable, a scout of eleven went in quest of them; they were fired upon by thirty of the enemy, and nine of them were killed: The other two made their escape, though one of them was badly wounded. Afterward another company fell into their ambush and engaged them; but the enemy being superior in number overpowered them, killed one and wounded four, the rest retreated. At Kingston, Jabez Colman and his son Joseph, were killed as they were at work in their

Sept. 5. New-England Courant.

Penhallow, page 106.

Sept. 7.

their field. The success of the forces at Norridgewog and the large premium offered for scalps, having induced several volunteer companies to go out, they visited one after another of the Indian villages, but found them deserted. The fate of Norridgewog had struck such a terror into them, that they did not think themselves safe at any of their former places of abode, and occupied them as resting places only, when they were scouting or hunting. 1724.

One of these volunteer companies, under the command of Capt. John Lovewell of Dunstable, was greatly distinguished, first by their success and afterward by their misfortunes. This company consisted of thirty; at their first excursion to the northward of Winipiseogee lake, they discovered an Indian wigwam in which were a man and a boy. They killed and scalped the man and brought the boy alive to Boston, where they received the reward, promised by law, and a handsome gratuity besides. Penhal-low, p. 107.

By this success his company was augmented to seventy. They marched again, and visiting the place where they had killed the Indian, found his body as they had left it two months before. Their provision Dec. 19.

New-England Courant.

sion



1725. MS of Hugh Adams. Feb. 20. sion falling short, thirty of them were dismissed by lot and returned. The remaining forty continued their march till they discovered a track, which they followed till they saw a smoke just before sunset, by which they judged that the enemy were encamped for the night. They kept themselves concealed till after midnight; when they silently advanced, and discovered ten Indians asleep, round a fire by the side of a frozen pond. Lovewell now determined to make sure work; and placing his men conveniently, ordered part of them to fire, five at once, as quick as each other as possible, and another part to reserve their fire: He gave the signal by firing his own gun, which killed two of them; the men firing according to order, killed five more on the spot; the other three starting up from their sleep, two of them were immediately shot dead by the reserve; the other, though wounded, attempted to escape by crossing the pond, but was seized by a dog and held fast till they killed him. Thus in a few minutes the whole company was destroyed, and some attempt against the frontiers of New-Hampshire prevented; for these Indians were marching from Canada, well furnished with new guns, and plenty of ammunition;

ammunition ; they had also a number of spare blankets, mockaseens and snow-shoes for the accommodation of the prisoners whom they expected to take, and were within two days march of the frontiers. The pond where this exploit was performed is at the head of a branch of Salmon-fall River, in the township of Wakefield, and has ever since borne the name of Lovewell's pond. The action is spoken of by elderly people, at this distance of time, with an air of exultation ; and considering the extreme difficulty of finding and attacking Indians in the woods, and the judicious manner in which they were so completely surprised, it was a capital exploit.

1725.

Penhal-  
low, p. 110.

The brave company, with the ten scalps stretched on hoops, and elevated on poles, entered Dover in triumph, and proceeded thence to Boston ; where they received the bounty of one hundred pounds for each, out of the public treasury.

Feb. 24.

March 9.

Encouraged by this success, Lovewell marched a third time ; intending to attack the villages of Pigwacket, on the upper part of the river Saco, which had been the residence of a formidable tribe, and which they still occasionally inhabited. His company at this time consisted of forty-six, including

April 16.

Symmes's  
Memoirs.

1725. cluding a chaplain and surgeon : Two of them proving lame, returned : Another falling sick, they halted and built a stockade fort, on the west side of great Ossapy pond; partly for the accommodation of the sick man, and partly for a place of retreat in case of any misfortune. Here the surgeon was left with the sick man, and eight of the company for a guard. The number was now reduced to thirty-four. Pursuing their march to the northward, they came to a pond, about twenty-two\* miles distant from the fort, and encamped by the side of it. Early the next morning, while at their devotions, they heard the report of a gun, and discovered a single Indian, standing on a point of land, which runs into the pond, more than a mile distant. They had been alarmed the preceding night by noises round their camp, which they imagined were made by Indians, and this opinion was now strengthened. They suspected that the Indian was placed there to decoy them, and that a body of the enemy was in their front. A consultation being held they determined to march forward, and by encompassing the pond, to gain the place where the Indian stood; and that they might

May 8.

\* The printed accounts say FORTY ; it is probable that the march was circuitous.

might be ready for action, they disencumbered themselves of their packs, and left them, without a guard, at the northeast end of the pond, in a pitch-pine plain, where the trees were thin and the brakes, at that time of the year, small. It happened that Lovewell's march had crossed a carrying-place, by which two parties of Indians, consisting of forty-one men, commanded by Paugus and Wahwa, who had been scouting down Saco river, were returning to the lower village of Pigwacket, distant about a mile and a half from this pond. Having fallen on his track, they followed it till they came to the packs, which they removed; and counting them, found the number of his men to be less than their own: They therefore placed themselves in ambush, to attack them on their return. The Indian who had stood on the point, and was returning to the village, by another path, met them, and received their fire, which he returned, and wounded Lovewell and another with small shot. Lieutenant Wyman firing again, killed him, and they took his scalp.\* See-  
ing

\* This Indian has been celebrated as a hero, and ranked with the Roman Curtius, who devoted himself to death to save his country. (See Hutchinson's history, vol. II, page 315.)

Having been on the spot where this celebrated action happened, and having conversed with persons who were acquainted with the Indians of Pigwacket,

1725. ing no other enemy, they returned to the place where they had left their packs, and while they were looking for them, the Indians rose and ran toward them with a horrid yelling. A smart firing commenced on both sides, it being now about ten of the clock. Captain Lovewell and eight more were killed on the spot. Lieutenant Farwell and two others were wounded; Several of the Indians fell; but, being superior in number, they endeavoured to surround the party, who, perceiving their intention, retreated; hoping to be sheltered by a point of rocks which ran into the pond, and a few large pine trees standing on a sandy beach. In this forlorn place they took their station. On their right was the mouth of a brook, at that time unfordable; on their left was the rocky point; their front was partly covered by a deep bog and partly uncovered, and the pond was in their rear. The enemy galled them in front and flank, and had them so completely in their power, that had they made

igwacket, before and after this battle; I am convinced that there is no foundation for the idea that he was placed there as a decoy; and that he had no claim to the character of a hero. The point on which he stood is a noted fishing place; the gun which alarmed Lovewell's company was fired at a flock of ducks; and when they met him he was returning home with his game and two fowling pieces. The village was situated at the edge of the meadow on Saco river; which here forms a large bend. The remains of the lockades were found by the first settlers, forty years afterward. The pond is in the township of Frieberg.

made a prudent use of their advantage, 1725.  
the whole company must either have been  
killed, or obliged to surrender at discretion;  
being destitute of a mouthful of suste-  
nance and an escape being impracticable.  
Under the conduct of Lieutenant Wyman  
they kept up their fire, and shewed a reso-  
lute countenance, all the remainder of the  
day; during which their chaplain, Jona-  
than Frie, Ensign Robbins, and one more,  
were mortally wounded. The Indians in-  
vited them to surrender, by holding up  
ropes to them, and endeavored to intimi-  
date them by their hideous yells; but they  
determined to die rather than yield; and  
by their well directed fire, the number of  
the savages was thinned, and their cries  
became fainter, till, just before night, they  
quitted their advantageous ground, carry-  
ing off their killed and wounded, and leav-  
ing the dead bodies of Lovewell and his  
men unscalped. The shattered remnant  
of this brave company, collecting them-  
selves together, found three of their num-  
ber unable to move from the spot, eleven  
wounded but able to march, and nine  
who had received no hurt. It was mel-  
ancholy to leave their dying companions  
behind, but there was no possibility of re-  
moving them. One of them, ensign Rob-  
bins,

1725. bins, desired them to lay his gun by him  
charged, that if the Indians should return  
before his death he might be able to kill  
one more. After the rising of the moon,  
they quitted the fatal spot, and directed  
their march toward the fort, where the  
surgeon and guard had been left. To  
their great surprise they found it deserted.  
In the beginning of the action, one man  
(whose name has not been thought worthy  
to be transmitted to posterity) quitted the  
field, and fled to the fort; where, in the  
style of Job's messengers, he informed them  
of Lovewell's death, and the defeat of the  
whole company; upon which they made  
the best of their way home; leaving a  
quantity of bread and pork, which was a  
seasonable relief to the retreating survivors.  
From this place, they endeavored to  
get home. Lieutenant Farwell and the  
chaplain, who had the journal of the  
march in his pocket, and one more, per-  
ished in the woods, for want of dressing  
for their wounds. The others, after en-  
during the most severe hardships, came in  
one after another, and were not only re-  
ceived with joy, but were recompensed for  
their valor, and sufferings; and a gener-  
ous provision was made for the widows  
and children of the slain.

A party

## NEW-HAMPSHIRE.

69

A party from the frontiers of New-Hampshire, were ordered out to bury the dead; but by some mistake did not reach the place of action. Colonel Tyng, with a company from Dunstable, went to the spot, and having found the bodies of twelve, buried them, and carved their names on the trees where the battle was fought. At a little distance he found three Indian graves, which he opened; one of the bodies was known to be their warrior Paugus. He also observed tracks of blood, on the ground, to a great distance from the scene of action. It was remarked that a week before this engagement happened, it had been reported in Portsmouth, at the distance of eighty miles, with but little variation from the truth. Such incidents were not uncommon, and could scarcely deserve notice, if they did not indicate that a taste for the marvellous was not extinguished in the minds of the most sober and rational.

Penhal-  
low's Indi-  
an wars.

This was one of the most fierce and obstinate battles which had been fought with the Indians. They had not only the advantage of numbers, but of placing themselves in ambush, and waiting with deliberation the moment of attack. These circumstances gave them a degree of ardor



1725. and impetuosity. Lovewell and his men, though disappointed of meeting the enemy in their front, expected and determined to fight. The fall of their commander, and more than one quarter of their number, in the first onset, was greatly discouraging; but they knew that the situation to which they were reduced, and their distance from the frontiers, cut off all hope of safety from flight. In these circumstances, prudence as well as valor dictated a continuance of the engagement, and a refusal to surrender; until the enemy, awed by their brave resistance, and weakened by their own loss, yielded them the honor of the field. After this encounter the Indians resided no more at Pigwacket, till the peace.\*

The conduct of the Marquis de Vaudreuil, Governor of Canada, was so flagrant a breach of the treaty of peace, subsisting between the Crowns of England and France, that it was thought, a spirited remonstrance might make him ashamed, and produce some beneficial effects. With this view, the General Court of Massachusetts proposed to the Colonies of New-York,

\* This account of Lovewell's battle is collected from the authorities cited in the margin, and from the verbal information of aged and intelligent persons. The names of the dead, on the trees, and the holes where balls had entered and been cut out, were plainly visible, when I was on the spot in 1784. The trees had the appearance of being very old, and one of them was fallen,

## NEW-HAMPSHIRE.

71

New-York, Connecticut, Rhode-Island and New-Hampshire, to join in sending Commissioners to Canada on this errand. New Hampshire was the only one which consented; and Theodore Atkinson was appointed on their part, to join with William Dudley and Samuel Thaxter on the part of Massachusetts.\* 1725.

The instructions which they received from the Lieutenant Governors, Dummer and Wentworth, by advice of the Council and Assembly of each Province, were nearly similar. They were to demand of the French Governor, restitution of the captives who had been carried into Canada; to remonstrate to him on his injustice and breach of friendship, in countenancing the Indians in their hostilities against the people of New-England; to insist on his withdrawing his assistance for the future; and to observe to him, that if in the farther prosecution of the war, our Indian allies, should in their pursuit of the enemy commit hostilities against the French, the blame would be entirely chargeable to himself. If the French Governor or the Indians, should make any overtures for peace, they were empowered to give

Massachusetts and N.-Hampshire Rec.

\* Mr. Hutchinson in his history, has not said a word respecting this embassy.

1725. give them passports, to come either to Boston or Portsmouth, for that purpose, and to return; but they were not to enter into any treaty with them. The Commissioners were also furnished with the original letters of Vaudreuil to the Governors of New-England, and to the Jesuit Rallè, and with copies of the several treaties which had been made with the Indians. The gentlemen went by the way of Albany, and over the lakes, on the ice, to Montreal, where they arrived after a tedious and dangerous journey.

Jan. 20.

March 2.

The Marquis, who happened to be at Montreal, received and entertained them with much politeness. Having delivered their letters, and produced their commissions, they presented their remonstrance in writing, and made the several demands agreeably to their instructions; using this among other arguments, ‘Those Indians dwell either in the dominions of the King of Great-Britain, or in the territories of the French King: If in the French King’s dominions, the violation of the peace is very flagrant, they then being his subjects; but if they are subjects of the British Crown, then much more is it a breach of the peace, to excite a rebellion among the subjects of his Majesty of Great-Britain.’

Atkinson’s  
MS Journal.

The

The Governor gave them no written answer; but denied that the Abenakis were under his government, and that he had either encouraged or supplied them for the purpose of war. He said that he considered them as an independent nation, and that the war was undertaken by them, in defence of their lands, which had been invaded by the people of New-England. The Commissioners in reply, informed him, that the lands for which the Indians had quarrelled, were fairly purchased of their ancestors, and had been for many years inhabited by the English. They produced his own letters to the Governors of New-England, in which he had (inconsistently, and perhaps inadvertently) styled these Indians 'subjects of the King of France.' They also alleged the several treaties held with them as evidence that they had acknowledged themselves subjects of the British Crown; and, to his great mortification, they also produced his own original letters to the Jesuit Rallè, which had been taken at Norridgewog, in which the evidence of his assisting and encouraging them in the war was too flagrant to admit of palliation. Farther to strengthen this part of their argument, they presented to the Governor, a Mohawk whom

1725. whom they had met with at Montreal; who, according to his own voluntary acknowledgment, had been supplied by the Governor with arms, ammunition and provision to engage in the war, and had killed one man and taken another whom he had sold in Canada.

In addition to what was urged by the Commissioners in general; Mr. Atkinson, on the part of New-Hampshire, entered into a particular remonstrance; alleging that the Indians had no cause of controversy with that Province, the lands in question being out of their claim. To this the Governor answered, that New-Hampshire was a part of the same nation, and the Indians could make no distinction. Atkinson asked him why they did not for the same reason make war on the people of Albany? The Governor answered, 'The people of Albany have sent a messenger to pray me to restrain the savages from molesting them; in a manner very different from your demands:' To which Atkinson with equal spirit replied, 'Your Lordship then is the right person, for our Governments to apply to, if the Indians are subject to your orders.'

Finding himself thus closely pressed, he promised to do what lay in his power to

to bring them to an accommodation, and to restore those captives who were in the hands of the French, on the payment of what they had cost; and he engaged to see that no unreasonable demands should be made by the persons who held them in servitude; as to those who still remained in the hands of the Indians, he said, he had no power over them, and could not engage for their redemption. He complained in his turn, of the Governor of New-York, for building a fort on the river Onondago, and said, that he should look upon that proceeding as a breach of the treaty of peace; and he boasted that he had the five nations of the Iroquois so much under his influence, that he could at any time, cause them to make war upon the subjects of Great-Britain.

The Commissioners employed themselves very diligently in their inquiries respecting the captives, and in settling the terms of their redemption. They succeeded in effecting the ransom of sixteen, and engaging for ten others. The Governor obliged the French, who held them, to abate of their demands; but after all, they were paid for at an exorbitant rate. He was extremely desirous, that the gentlemen should have an interview with the Indians, who

1725. who were at war; and for this purpose, sent for a number of them from the village of St. Francis, and kept them concealed in Montreal. The Commissioners had repeatedly told him, that they had no power to treat with them, and that they would not speak to them unless they should desire peace. At his request, the chiefs of the Nipissins visited the Commissioners, and said that they disapproved the war which their children the Abenakis had made, and would persuade them to ask for peace. After a variety of manoeuvres, the Governor at length promised the Commissioners, that if they would consent to meet the Indians at his house, they should speak first. This assurance produced an interview; and the Indians asked the commissioners whether they would make proposals of peace? they answered, No. The Indians then proposed, that 'if the English would demolish all their forts, and remove one mile westward of Saco river; if they would rebuild their church at Norridgewog, and *restore to them their priest*, they would be brothers again.' The Commissioners told them that they had no warrant to treat with them; but if they were disposed for peace, they should have safe conduct to and from Boston or Portsmouth; and the Governor promised  
to

to send his son with them to see justice done. They answered, that 'this was the only place to conclude peace, as the nations were near and could readily attend.' The Governor would have had them recede from their proposals, which he said were unreasonable, and make others; but father Le Chafe, a Jesuit, being present, and acting as interpreter for the Indians, embarrassed the matter so much that nothing more was proposed. It was observed by the commissioners, that when they conversed with the Governor alone, they found him more candid and open to conviction, than when Le Chafe, or any other Jesuit was present; and, through the whole of their negociation, it evidently appeared, that the Governor himself, as well as the Indians, were subject to the powerful influence of these ecclesiastics; of whom there was a seminary in Canada, under the direction of the Abbè de Belmont.

Having completed their business, and the rivers and lakes being clear of ice, the Commissioners took their leave of the Governor, and set out on their return, with the redeemed captives, and a guard of soldiers, which the Governor ordered to attend them, as far as Crown-point. They went

1725.



1725. went down the river St. Lawrence to the  
mouth of the Sorel, then up that river to  
Chamblee, and through the lakes to fort  
Nicholson. After a pleasant passage, of  
May 1. seven days, they arrived at Albany.

Here they found Commissioners of Indian affairs for the Province of New-York, to whom they communicated the observations which they had made in Canada, and what the Marquis de Vaudreuil had said respecting the five nations, and the fort at Onandago. There being a deputation from these nations at Albany, they held a conference with them, and gave them belts; requesting their assistance in establishing a peace with the Abenakis. From this place Mr. Atkinson wrote to M. Cavanaugh, son of the Marquis, acknowledging the polite reception the Commissioners had met with from the family; subjoining a copy of the information which they had given to the Commissioners of New-York; and promising, that a due representation should be made, to the Kings of England and France, on the subject of their negotiation.

The report of the Commissioners being laid before the Assemblies of Massachusetts and New-Hampshire, it was determined to prosecute the war with vigor. Orders  
were

were issued for the defence and supply of the frontiers, and for the encouragement of ranging parties, both volunteers and militia. A petition was sent to the King, complaining of the French Governor, and desiring that orders might be given to the other Colonies of New-England, and to New-York, to furnish their quotas of assistance, in the further prosecution of the war; and letters were written to the Governor of New-York, requesting that such of the hostile Indians as should resort to Albany, might be seized and secured.

The good effects of this mission to Canada were soon visible. One of the Indian hostages who had been detained at Boston through the whole war, together with one who had been taken, were allowed on their parole, to visit their countrymen; and they returned with a request for peace. Commissioners from both Provinces went to St. George's; where a conference was held, which ended in a proposal for a farther treaty at Boston. In the mean time, some of the enemy were disposed for further mischief. Those who had been concerned in taking Hanson's family at Dover, in a short time after their redemption and return, came down with a design to take them again, as they had threatened them

1725.

Assembly  
Records.

1725. them before they left Canada. When they had come near the house, they observed some people at work in a neighbouring field, by which it was necessary for them to pass, both in going and returning. This obliged them to alter their purpose, and conceal themselves in a barn, till they were ready to attack them. Two women passed by the barn, while they were in it, and had just reached the garrison as the guns were fired. They shot Benjamin Evans dead on the spot; wounded William Evans and cut his throat; John Evans received a slight wound in the breast, which bleeding plentifully, deceived them, and thinking him dead, they stripped and scalped him: He bore the painful operation without discovering any signs of life, though all the time in his perfect senses, and continued in the feigned appearance of death, till they had turned him over, and struck him several blows with their guns, and left him for dead. After they were gone off he rose and walked, naked and bloody, toward the garrison; but on meeting his friends by the way dropped, fainting on the ground, and being covered with a blanket was conveyed to the house. He recovered and lived fifty years. A pursuit was made after the enemy,

emy, but they got off undiscovered, carrying with them Benjamin Evans, junior, a lad of thirteen years old, to Canada, whence he was redeemed as usual by a charitable collection. 1725.

This was the last effort of the enemy in New-Hampshire. In three months, the treaty which they desired was held at Boston, and the next spring ratified at Falmouth. A peace was concluded in the usual form; which was followed by restraining all private traffic with the Indians, and establishing truck-houses in convenient places, where they were supplied with the necessaries of life, on the most advantageous terms. Though the governments on the whole, were losers by the trade, yet it was a more honorable way of preserving the peace, than if an acknowledgment had been made to the Indians in any other manner. Dec. 25; Hutchin- son II. 318.

None of the other Colonies of New-England bore any share in the expenses or calamities of this war; and New-Hampshire did not suffer so much as in former wars; partly by reason of the more extended frontier of Massachusetts, both on the eastern and western parts, against the former of which the enemy directed their greatest fury; and partly by reason of the

F

success

1725. success of the ranging parties, who constantly traversed the woods as far northward as the White Mountains. The militia at this time was completely trained for active service ; every man of forty years of age having seen more than twenty years of war. They had been used to handle their arms from the age of childhood and most of them, by long practice, had become excellent marksmen, and good hunters. They were well acquainted with the lurking places of the enemy ; and possessed a degree of hardiness and intrepidity, which can be acquired only by the habitude of those scenes of danger and fatigue, to which they were daily exposed. They had also imbibed from their infancy a strong antipathy to the savage natives ; which was strengthened by repeated horrors of blood and desolation, and not obliterated by the intercourse which they had with them in time of peace. As the Indians frequently resorted to the frontier towns in time of scarcity, it was common for them to visit the families whom they had injured in war ; to recount the circumstances of death and torture which had been practised on their friends ; and when provoked or intoxicated, to threaten a repetition of such insults, in future wars. T  
bea

1725.  
bear such treatment required more than human patience ; and it is not improbable that secret murders were sometimes the consequence of these harsh provocations. Certain it is, that when any person was arrested, for killing an Indian in time of peace, he was either forcibly rescued from the hands of justice, or if brought to trial, invariably acquitted ; it being impossible to impanel a jury some of whom had not suffered by the Indians, either in their persons or families.

## CHAP.

## C H A P. XV.

WENTWORTH'S *administration continued.*  
 BURNET'S *short administration.* BELCH-  
 ER *succeeds him.* WENTWORTH'S *death*  
*and character.*

1726.  
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 January 5-

General
 Court Rec-
 ords.

DURING the war, the Lieutenant Governor had managed the executive department with much prudence; the people were satisfied with his administration, and entertained an affection for him, which was expressed not only by words, but by frequent grants of money, in the General Assembly. When he returned from Boston, where the treaty of peace was concluded, they presented to him an address of congratulation, and told him that 'his absence had seemed long; but the service he had done them filled their hearts with satisfaction.' This address was followed by a grant of one hundred pounds. He had, just before, consented to an emission of two thousand pounds in bills of credit, to be paid, one half in the year 1735, and the other half in 1736. An excise was laid for three years, and was farmed for three hundred pounds.

Th

The divisional line between the Provinces of New-Hampshire and Massachusetts was yet unsettled, and in addition to the usual disadvantages occasioned by this long neglect, a new one arose. By the construction which Massachusetts put on their charter, all the lands three miles northward of the river Merrimack were within their limits. On this principle, a grant had formerly been made to Governor Endicot, of some lands at Penacook; which had been the seat of a numerous and powerful tribe of Indians. The quality of the land at that place invited the attention of adventurers from Andover, Bradford and Haverhill; to whom a grant was made of a township, seven miles square; comprehending the lands on both sides of the Merrimack, extending southwardly from the branch called Contoocook. This grant awakened the attention of others; and a motion was made in the Massachusetts Assembly, for a line of townships, to extend from Dunstable on Merrimack, to Northfield on Connecticut river; but the motion was not immediately adopted. The Assembly of New-Hampshire was alarmed. Newman, their agent, had been a long time at the British Court, soliciting the settlement of the line,

1726.

Massachusetts Rec.

Dec. 21.

1726. and a supply of military stores for the fort.
 Fresh instructions were sent to him to expedite the business, and to submit the settlement of the line to the King. A committee was appointed to go to Penacook, to confer with a committee of Massachusetts, then employed in laying out the lands, and to remonstrate against their proceeding. A survey of other lands near Winipiseogee lake, was ordered; that it might be known, what number of townships could be laid out, independently of the Massachusetts claim. On the other hand, the heirs of Allen renewed their endeavours, and one of them, John Hobby, petitioned the Assembly to compound with him for his claim to half the Province; but the only answer which he could obtain was that 'the Courts of law were competent to the determination of titles,' and his petition was dismissed.

N. Hamp-
shire Rec.

Both Provinces became earnestly engaged. Massachusetts proposed to New-Hampshire the appointment of commissioners, to establish the line. The New-Hampshire Assembly refused, because they had submitted the case to the King. The Massachusetts people, foreseeing that the result of this application might prove unfavorable to their claim of jurisdiction,
 were

NEW-HAMPSHIRE.

87

were solicitous to secure to themselves the property of the lands in question. Accordingly, the proposed line of townships being surveyed, 'pretences were encouraged and even sought after, to entitle persons to be grantees.' The descendants of the officers and soldiers, who had been employed in expeditions against the Narraganset Indians, and against Canada, in the preceding century, were admitted; and the survivors of the late Captain Lovewell's company, with the heirs of the deceased, had a select tract granted to them at Suncook. There was an appearance of gratitude in making these grants, and there would have been policy in it, had the grantees been able to comply with the conditions. New-Hampshire followed the example, and made grants of the townships of Epsom, Chichester, Barnstead, Canterbury, Gilmantown and Bow. All these, excepting the last, were undoubtedly within their limits; but the grant of Bow interfered with the grants which Massachusetts had made, at Penacook and Suncook, and gave rise to a litigation, tedious, expensive, and of forty years continuance.

1726.

Hutchinson 11.331.

Massachusetts Rec.

1727.

May 18 & 20.

These tracts of land granted by both Provinces were too numerous and exten-

1727. five. It was impracticable to fulfil the conditions, on which the grants were made. Had the same liberal policy prevailed here as in Pennsylvania, and had the importation of emigrants from abroad been encouraged, the country might have been soon filled with inhabitants ; but the people of Londonderry were already looked upon with a jealous eye, and a farther intrusion of strangers was feared, lest they should prove a burden and charge to the community. People could not be spared from the old towns. Penacook was almost the only settlement which was effected by emigrants from Massachusetts. A small beginning was made, by the New-Hampshire proprietors, at Bow, on Suncook river ; but the most of the intermediate country remained uncultivated for many years. Schemes of settlement were indeed continually forming ; meetings of proprietors were frequently held, and an avaricious spirit of speculating in landed property prevailed ; but the real wealth and improvement of the country instead of being promoted were retarded.

New-
Hampshire
Records.
Nov. 21.

On the death of King George I. the Assembly, which had subsisted five years, was of course dissolved ; and writs for the election of another were issued in the
name

name of George II. The long continuance of this Assembly was principally owing to the absence of Governor Shute, in whose administration it commenced; and the uncertainty of his return or the appointment of a successor. It had been deemed a grievance, and an attempt had been made in 1724 to limit the duration of Assemblies to three years, in conformity to the custom of England. At the meeting of the new Assembly, the first business which they took up was to move for a triennial act. The Lieutenant Governor was disposed to gratify them. Both Houses agreed in framing an act for a triennial Assembly, in which the duration of the present Assembly was limited to three years (unless sooner dissolved by the commander in chief) writs were to issue fifteen days at least, before a new election; the qualification of a representative was declared to be a freehold estate of three hundred pounds value. The qualification of an elector was a real estate of fifty pounds, within the town or precinct where the election should be made; but habitancy was not required in either case; the selectmen of the town, with the moderator of the meeting, were constituted judges of the qualifications of electors, saving

1727.

Dec. 15.

Edition
of Laws in
1771, page
166.

1727. saving an appeal to the House of Representatives. This act having been passed, in due form, received the royal approbation, and was the only act which could be called a constitution or form of Government, established by the people of New-Hampshire; all other parts of their government being founded on royal commissions and instructions. But this act was defective, in not determining by whom the writs should be issued, and in not describing the places from which Representatives should be called, either by name, extent or population. This defect gave birth to a long and bitter controversy, as will be seen hereafter.

The triennial act being passed, the House were disposed to make other alterations in the government. An appeal was allowed in all civil cases from the inferior to the superior court; if the matter in controversy exceeded one hundred pounds, another appeal was allowed to the Governor and Council; and if it exceeded three hundred pounds, to the King in Council. The appeal to the Governor and Council was first established by Cutts's commission, and continued by subsequent commissions and instructions. In Queen Anne's time, it was complained of as a grievance, that
the

the Governor and Council received appeals and decided causes, without taking an oath to do justice. An oath was then prescribed and taken. The authority of this court had been recognised by several clauses in the laws; but was disrelished by many of the people; partly because the judges who had before decided cases, were generally members of the Council; partly because no jury was admitted in this court of appeal; and partly because no such institution was known in the neighbouring Province of Massachusetts. The House moved for a repeal of the several clauses in the laws relative to this obnoxious court; the Council non-concurred their vote, and referred them to the royal instructions. The House persisted in their endeavors, and the Council in their opposition. Both sides grew warm, and there was no prospect of an accommodation. The Lieutenant Governor put an end to the session, and soon after dissolved the Assembly by proclamation.

1727.

A new Assembly was called; the same persons, with but two or three exceptions, were re-elected, and the same spirit appeared in all their transactions. They chose for their speaker Nathaniel Weare, who had been speaker of the former Assembly,

1728.

1728. sembly, and having as usual presented him to the Lieutenant Governor, he negatived the choice. The House desired to know by what authority ; he produced his commission ; nothing appeared in that, which satisfied them ; and they adjourned from day to day without doing any business. After nine days they chose another Speaker, Andrew Wiggin, and sent up the vote, with a preamble, justifying their former choice. The Lieutenant Governor approved the Speaker, but disapproved the preamble ; and thus the controversy closed, each side retaining their own opinion. The speeches and messages from the chair, and the answers from the House, during this session, were filled with reproaches ; the public business was conducted with ill humour, and the House carried their opposition so far as to pass a vote for addressing the King to annex the Province to Massachusetts ; to this vote the Council made no answer. But as a new Governor was expected, they agreed in appointing a committee of both Houses to go to Boston, and compliment him on his arrival.

The expected Governor was WILLIAM BURNET, son of the celebrated Bishop of Sarum, whose name was dear to the people of New-England, as a steady and ac-

tive friend to civil and religious liberty. 1728.

Mr. Burnet was a man of good understanding and polite literature; fond of books and of the conversation of literary men; but an enemy to ostentation and parade. He had been Governor of New-York and New-Jersey, and quitted those Provinces with reluctance, to make way for another person, for whom the British Ministry had to provide. Whilst at New-York, he was very popular, and his fame having reached New-England, the expectations of the people were much raised on the news of his appointment, to the Government of Massachusetts and New-Hampshire. Lieutenant Governor Wentworth characterised him in one of his speeches as 'a gentleman of known worth, 'having justly obtained an universal regard 'from all who have had *the honor* to be 'under his government.' He was received with much parade at Boston, whither the Lieutenant Governor of New-Hampshire, with a committee of the Council and Assembly, went to compliment him on his arrival.*

July 22;

Mr.

* Mr. Hutchinson has represented Governor Burnet as a man of humour, and given an anecdote respecting his indifference to the custom of saying grace at meals. The following story of the same kind, perhaps will not be disagreeable to the reader.

One of the committee, who went from Boston, to meet him on the borders of Rhode-Island, and conduct him to the seat of government, was the facetious Col. Taler. Burnet complained of the long graces which were said by clergymen on the road, and asked Taler when they would

1728. Mr. Burnet had positive instructions from the crown to insist on the establishment of a permanent salary in both his Provinces. He began with Massachusetts, and held a long controversy with the General Court to no purpose. In New-Hampshire, a precedent had been established in the administration of Dudley, which was favorable to his views. Though some of the Assembly were averse to a permanent salary; yet the Lieutenant Governor had so much interest with them, by virtue of having made them proprietors in the lately granted townships, that they were induced to consent; on condition that he should be allowed one third part of the salary, and they should be discharged from all obligations to him. This bargain being concluded, the House passed a vote, with which the Council concurred, to pay, 'Governor Burnet, for the term of three years; or during his administration, the sum of two hundred pounds sterling, or six hundred pounds in bills of credit; which sum was to be in full of all demands from this Government, for his salary; and all expenses in coming to, tarrying in, or going

Belcher's
MS Letters

1729.
May 9.

Journal of
of the
House of
Represent-
atives.

would shorten. He answered, 'The graces will increase in length, till you come to Boston; after that they will shorten till you come to your government of New-Hampshire, where your Excellency will find no grace at all.'

ing from this Province; and also for any allowance to be made to the Lieutenant Governor; and that the excise on liquors should be appropriated to that use.' To this vote six of the Representatives entered their dissent.

1729.

The Governor came but once into New-Hampshire. His death, which happened after a few months, was supposed to be occasioned by the ill effect, which his controversy with Massachusetts, and the disappointment which he suffered, had on his nerves.

Sept. 7.

When the death of Governor Burnet was known in England, the resentment against the Province of Massachusetts was very high, on account of their determined refusal to fix a salary on the King's Governor. It was even proposed, to reduce them to 'a more absolute dependence on the crown;' but a spirit of moderation prevailed; and it was thought that Mr. JONATHAN BELCHER, then in England, being a native of the Province, and well acquainted with the temper of his countrymen would have more influence than a stranger, to carry the favorite point of a fixed salary. His appointment, as Governor of New-Hampshire, was merely an appendage to his other commission.

1730.

Letters of
Francis
Wilkes,
Agent.


Belcher

1730.

Belcher's
Letter to
the Bishop
of Lincoln.
MS.

Belcher was a merchant of large fortune and unblemished reputation. He had spent six years in Europe; had been twice at the Court of Hanover, before the protestant succession took place in the family of Brunswick; and had received from the Princess Sophia; a rich golden medal. He was graceful in his person, elegant and polite in his manners; of a lofty and aspiring disposition; a steady, generous friend; a vindictive, but not implacable enemy. Frank and sincere, he was extremely liberal in his censures, both in conversation and letters. Having a high sense of the dignity of his commission, he determined to support it, even at the expense of his private fortune; the emoluments of office in both Provinces being inadequate to the style in which he chose to live.

Whilst he was in England, and it was uncertain whether he would be appointed, or Shute would return, Wentworth wrote letters of compliment to both. Belcher knew nothing of the letter to Shute, till his arrival in America, and after he had made a visit to New-Hampshire, and had been entertained at the house of the Lieutenant Governor. He was then informed, that Wentworth had written a letter to
Shute,

ite, of the same tenor as that to him- 1730.
 This he deemed an act of duplicity. 

as far it was so, cannot now be deter-
 mined. The persuasion was so strong in
 mind of Belcher, that on his next visit
 Portsmouth, he refused an invitation to
 Wentworth's house. This was not the

way in which he manifested his dis-
 sasure. When the affair of the salary

came before the Assembly, he not only re- Aug. 31.
 fused to make such a compromise as Bur-

had done; but obliged the Lieutenant
 Governor under his hand, to 'quit all

claim to any part of the salary, and to ac-
 knowledge that he had no expectation from,

dependence on the Assembly, for any al-
 lowance, but that he depended wholly on

Governor.' The same salary was then
 offered, and in nearly the same words, as to

his predecessor. He allowed the Lieuten-
 ant Governor, the fees and perquisites only

which arose from registers, certificates, li-
 censes and passes, amounting to about

four pounds sterling. Wentworth and
 friends were disappointed and disgust-

ed. He himself did not long survive; be-
 seized with a lethargic disorder, he died

within five months; but his family con-
 siderations resented the affront, and drew a

considerable party into their views. Ben-
 ning

1730. ning Wentworth, his son, and Theodore Atkinson, who had married his daughter, were at the head of the opposition. The latter was removed from his office of Collector of the Customs, to make room for Richard Wibird; the Naval Office was taken from him and given to Ellis Huske; and the office of High Sheriff, which he had held, was divided between him and Eleazer Ruffell. Other alterations were made, which greatly offended the friends of the late Lieutenant Governor; but Belcher, satisfied that his conduct was agreeable to his commission and instructions, disregarded his opponents and apprehended no danger from their resentment. Atkinson was a man of humor, and took occasion to express his disgust in a singular manner. The Governor, who was fond of parade, had ordered a troop of horse to meet him on the road, and escort him to Portsmouth. The officers of government met him, and joined the cavalcade. Atkinson was tardy; but when he appeared, having broken the Sheriff's wand, he held one half in his hand. Being chided by the Governor for not appearing sooner, he begged his Excellency to excuse him, because he had but half a horse to ride.

In


In addition to what has been observed, 1730.
 respecting Lieutenant Governor Wentworth; the following portrait of his character, by some contemporary friend, deserves remembrance.

'He was born at Portsmouth of worthy
 'parents, from whom he had a religious
 'education. His inclination leading him
 'to the sea, he soon became a commander
 'of note, and gave a laudable example to
 'that order, by his sober behaviour, and
 'his constant care to uphold the worship
 'of God in his ship. Wherever he came,
 'by his discreet and obliging deportment,
 'he gained the love and esteem of those
 'with whom he conversed.

'On his leaving the sea, he had considerable business as a merchant, and always had the reputation of a fair and generous dealer.

'He has approved himself to the general acceptance of his Majesty's good subjects throughout this Province, and under his mild administration, we enjoyed great quietness.

'He was a gentleman of good natural abilities, much improved by conversation; remarkably civil and kind to strangers; respectful to the ministers of the gospel; a lover of good men of all denominations;

1730.  'nominations; compassionate and bountiful to the poor; courteous and affable to all; having a constant regard to the duties of divine worship, in private and public, and paying a due deference to all the sacred institutions of Christ.
- 'He had sixteen children, of whom fourteen yet survive him.'

CHAP.

C H A P. XVI.

DUNBAR'S *Lieutenancy and enmity to BELCHER. Efforts to settle the boundary lines. Divisions. Riot. Trade. Episcopal Church. Throat distemper.*

MR. WENTWORTH was succeeded in the Lieutenancy by DAVID DUNBAR, Esq. a native of Ireland and a reduced Colonel in the British service; who was also deputed to be surveyor of the King's woods. This appointment was made by the recommendation of the Board of Trade; of which Col. Bladen was an active member, who bore no good will to Governor Belcher. Dunbar had been commander of a fort at Pemaquid, which it was in contemplation to annex to Nova-Scotia. He had taken upon him to govern the few scattered people in that district, with a degree of rigor to which they could not easily submit. This conduct had already opened a controversy, between him and the Province of Massachusetts; and it was very unfortunate for Belcher to have such a person connected with both his governments. What were the merits, which recommended Dunbar to these sta-

1731.

June 24.

Hutchinson 11.224
379.

1731. tions, it is not easy at this time to determine; the only qualifications, which appear to have pleaded in his favor, were poverty and the friendship of men in power. He was an instrument of intrigue and disaffection; and he no sooner made his appearance in New-Hampshire, than he joined the party who were in opposition to the Governor. Belcher perceived the advantage which his enemies would derive from this alliance, and made all the efforts in his power to displace him. In his letters to the ministry, to the Board of Trade, and to his friends in England, he continually represented him in the worst light, and solicited his removal. It is not improbable, that his numerous letters of this kind, written in his usual style, with great freedom and without any reserve, might confirm the suspicions, raised by the letters of his adversaries, and induce the ministry to keep Dunbar in place, as a check upon Belcher, and to preserve the balance of parties.

Belcher's
MS letters.

July 10.

Within a few weeks after Dunbar's coming to Portsmouth, a complaint was drawn up against Belcher, and signed by fifteen persons; alleging that his government was grievous, oppressive and arbitrary, and praying the King for his removal. This roused the Governor's friends, at
the

the head of whom was Richard Wal- 1731.
 dren, the secretary, who drew up a
 counter address, and procured an hun- MS copies
 dred names to be subscribed. Both ad- of Address-
 dresses reached England about the same ses.
 time. Richard Partridge, Mr. Belcher's
 brother in law, in conjunction with his
 son Jonathan Belcher, then a student in
 the Temple, applied for a copy of the
 complaint against him, at the Plantation
 office, and obtained it; but could not get
 sight of the letters which accompanied it,
 though, on the foundation of those letters,
 a representation had been made by the
 Board of Trade, to the King. Belcher's
 letters.

The only effect which Dunbar's letters
 had at that time, was to procure the ap-
 pointment of Theodore Atkinson, Benning
 Wentworth and Joshua Peirce, to be
 Counsellors of New-Hampshire; and
 though Belcher remonstrated to the Sec-
 retary of State against these appointments,
 and recommended other persons in their
 room, he could not prevail, any farther
 than to delay the admission of the two
 former for about two years; during which
 time, they were elected into the House of
 Representatives, and kept up the opposi-
 tion there. The recommendations, which
 he made of other persons, were duly attend-

1731. ed to when vacancies happened ; and thus the Council was composed of his friends, and his enemies. The civil officers, whom he appointed, were sometimes superseded, by persons recommended and sent from England ; and in one instance, a commission for the naval office, in favor of a Mr. Reynolds, son of the Bishop of Lincoln, was filled up in England, and sent over with orders for him to sign it ; which he was obliged punctually to obey.

From the confidential letters of the leading men on both sides, which have fallen into my hands in the course of my researches, the views of each party may plainly be seen ; though they endeavored to conceal them from each other. The Governor and his friends had projected an union of New-Hampshire with Massachusetts ; but were at a loss by what means to bring it into effect. The most desirable method would have been, an unanimity in the people of New-Hampshire, in petitioning the Crown for it ; but as this could not be had, the project was kept out of sight, till some favorable opportunity should present.

Belcher's,
Waldron's
Atkinson's
& Thom-
linson's
letters MS.

The other party contemplated not only the continuance of a separate government, but the appointment of a distinct Governor,

nor, who should reside in the Province, 1731. and have no connection with Massachusetts. The greatest obstacle in their way, was the smallness and poverty of the Province, which was not able to support a gentleman in the character of Governor. To remove this obstacle, it was necessary to have the limits of territory, not only fixed, but enlarged. They were therefore zealous, in their attempts for this purpose; and had the address to persuade a majority of the people, that they would be gainers by the establishment of the lines; that the lands would be granted to them and their children; and that the expense of obtaining the settlement would be so trifling, that each man's share would not exceed the value of a pullet.

The Governor's friends were averse to pressing the settlement of the line; and their reasons were these. The controversy is either between the King and the subjects of his charter government of Massachusetts; or else, between the heirs of Mason or Allen and the people of Massachusetts. If the controversy be settled even in favor of New-Hampshire, the lands which fall within the line, will be either the King's property, to be granted by his Governor and Council according to royal instructions;

1731. instructions; or else the property of the heirs of Mason or Allen, to be disposed of by them. On both suppositions, the people of New-Hampshire can have no property in the lands, and therefore why should they be zealous about the division or tax themselves to pay the expense of it?

Sept. 21.

Assembly
Records.
Oct. 7.

The Governor, as obliged by his instructions, frequently urged the settlement of the lines in his speeches, and declared, that the Assembly of New-Hampshire had done more toward effecting it, than that of Massachusetts. A committee from both Provinces met at Newbury in the autumn of 1731, on this long contested affair; but the influence of that party in Massachusetts, of which Elisha Cooke was at the head, prevented an accommodation. Soon after this fruitless conference, the Representatives of New-Hampshire, of whom a majority was in favor of settling the line, determined no longer to treat with Massachusetts; but to represent the matter to the King, and petition him to decide the controversy. Newman's commission, as agent, having expired, they chose for this purpose, John Rindge, merchant, of Portsmouth, then bound on a voyage to London. The appointment
of

of this gentleman was fortunate for them, not only as he had large connexions in England ; but as he was capable of advancing money, to carry on the solicitation. The Council, a majority of which was in the opposite interest, did neither concur in the appointment, nor consent to the petition. 1731.

Mr. Rindge, on his arrival in England, petitioned the King in his own name, and in behalf of the Representatives of New-Hampshire, to establish the boundaries of the Province ; but his private affairs requiring his return to America, he did, agreeably to his instructions, leave the business in the hands of Capt. John Thomlinson, merchant, of London ; who was well known in New-Hampshire, where he had frequently been in quality of a sea commander. He was a gentleman of great penetration, industry and address ; and having fully entered into the views of Belcher's opponents, prosecuted the affair of the line, 'with ardor and diligence ;' employing for his solicitor, Ferdinando John Parris ; who being well supplied with money, was indefatigable in his attention. The petition was of course referred to the Lords of Trade, and Francis Wilks the agent of Massachusetts, was served with a copy to be sent to his constituents. 1732.
Feb. 28.

While

1732.

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Whilst the matter of the line was pending on the other side of the Atlantic, the parties in New-Hampshire maintained their opposition; and were on all occasions vilifying and abusing each other, especially in their letters to their friends in England. On the one side, Belcher incessantly represented Dunbar, as the fomentor of opposition; as false, perfidious, malicious and revengeful; that he did no service to the crown, nor to himself; but was 'a plague to the Governor and a deceiver of the people.' He was also very liberal in his reflections, on his other opposers. On the other side, they represented him as unfriendly to the royal interest; as obstructing the settlement of the lines; conniving at the destruction of the King's timber, and partial to his other government, where all his interest lay; and that he had not even a freehold in New-Hampshire. As an instance of his partiality, they alleged, that in almost every session of the Assembly

1733.

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of Massachusetts, he consented to grants of the disputed lands, to the people of that Province; by which means, their Assembly raised money, to enable their agent to protract the controversy, that they might have opportunity to lay out more townships; while at the same time,
he

he rejected a supply bill of the New-Hampshire Assembly, and dissolved them, because that in it, they had made an appropriation for their agent. The truth was, that the Council did not consent to the bill, because they had no hand in appointing the agent, and the bill never came before the Governor. The frequent dissolution of Assemblies was another subject of complaint; and in fact this measure never produced the desired effect; for the same persons were generally re-elected, and no reconciling measures were adopted by either party. 1733.

The Governor frequently complained, in his speeches, that the public debts were not paid; nor the fort, prison, and other public buildings kept in repair; because of their failure in supplying the treasury. The true reason of their not supplying it was, that they wanted emissions of paper money, to be drawn in, at distant periods; to this the Governor could not consent, being restrained by a royal instruction, as well as in principle opposed to all such practices. But one emission of paper was made in his administration; and for its redemption a fund was established in hemp, iron, and other productions of the country. When a number of merchants and others 1734.

1734 others had combined to issue notes, to supply the place of a currency, he issued a proclamation against them; and in his next speech to the Assembly, condemned them in very severe terms. The Assembly endeavored to vindicate the character of the bills; but in a few days he dissolved them, with a reprimand; charging them with trifling, with injustice and hypocrisy. It must be remembered, that his complaints of an empty treasury were not occasioned by any failure of his own salary, which was regularly paid out of the excise.

Belcher revived the idea of his predecessor Shute, which was also countenanced by his instructions, that he was virtually present in New-Hampshire, when personally absent, and attending his duty, in his other Province; and therefore that the Lieutenant Governor could do nothing but by his orders. Dunbar had no seat in the Council, and Shadrach Walton being senior member, by the Governor's order summoned them and presided. He also held the command of the fort, by the Governor's commission, granted passes for ships, and licenses for marriage; and received and executed military orders, as occasion required. The Lieutenant Governor contested this point; but could not prevail;

prevail ; and finding himself reduced to a state of insignificance, he retired in disgust, to his fort at Pemaquid ; where he resided almost two years. The Governor's friends gave out that he had absconded for debt, and affected to triumph over the opposition, as poor and impotent ; but their complaints, supported by their agent Thomlinson, and the influence of Bladen at the Board of Trade, made an impression there much to the disadvantage of Mr. Belcher ; though he had friends among the ministry and nobility ; the principal of whom was Lord Townshend, by whose influence he had obtained his commission. 1734.

After Dunbar's return to Portsmouth, the Governor thought it good policy to relax his severity ; and gave him the command of the fort, with the ordinary perquisites of office, amounting to about fifty pounds sterling. Not content with this, he complained, that the Governor did not allow him one third of his salary. The Governor's salary was but six hundred pounds currency ; he spent at least one hundred, in every journey to New-Hampshire, of which he made two in a year. At the same time Dunbar had two hundred pounds sterling, as Surveyor General of the woods ; which, with the perquisites, amounting

1734. amounting to one hundred more, were
divided between him and his deputies.
But it must be remembered that he was
deeply in debt, both here and in England.

The rigid execution of the office of Surveyor General had always been attended with difficulty; and the violent manner, in which Dunbar proceeded with trespassers, raised a spirit of opposition on such occasions. The statutes for the preservation of the woods empowered the surveyor to seize all logs, cut from white pine trees, without license; and it rested on the claimant, to prove his property, in the court of Admiralty. Dunbar went to the saw-mills; where he seized and marked large quantities of lumber; and with an air and manner to which he had been accustomed in his military capacity, abused and threatened the people. That class of men, with whom he was disposed to contend, are not easily intimidated with high words; and he was not a match for them, in that species of controversy, which they have denominated *swamp law*. An instance of this happened at Dover, whither he came, with his boat's crew, to remove a parcel of boards, which he had seized. The owner, Paul Gerrish, warned him of the consequence; Dunbar threatened

ened with death the first man who should 1734.
obstruct his intentions ; the same threat
was returned to the first man who should
remove the boards. Dunbar's prudence
at this time, got the better of his courage,
and he retired.

With the like spirit, an attempt of the
same kind was frustrated at Exeter, whith-
er he sent a company in a boat to remove
lumber. Whilst his men were regaling
themselves at a public house, in the even-
ing, and boasting of what they intended
to do the next day ; a number of persons,
disguised like Indians, attacked and beat
them ; whilst others cut the rigging and
sails of the boat, and made a hole in her
bottom. The party not finding themselves
safe in the house, retreated to the boat,
and pushed off ; but being there in dan-
ger of sinking, they with difficulty regain-
ed the shore, and hid themselves till morn-
ing, when they returned on foot to Portf-
mouth.

This was deemed a flagrant insult.
Dunbar summoned the Council, and com-
plained to them of the riotous proceedings
at Exeter, where there was ' a conspiracy
' against his life, by evil minded persons,
' who had hired Indians to destroy him.'
He proposed to the Council, the issuing

April 26.

H

of

1734. of a proclamation, offering a reward to apprehend the rioters. The major part of the Council were of opinion, that no proclamation could be issued but by the Governor.* Information being sent to the Governor, he issued a proclamation; commanding all magistrates to assist in discovering the rioters.

This transaction afforded matter for complaint, and a memorial was drawn up by Thomlinson, grounded on letters which he had received. It was suggested, that the Governor's pretence to favor the surveyor was deceitful; that the rioters at Exeter were his greatest friends; that the Council, wholly devoted to him, would not advise to a proclamation till they had sent to Boston; that the proclamation was delayed; and when it appeared offered no reward; though Dunbar had proposed to pay the money himself; and, that by reason of this delay and omission, the rioters escaped with impunity.

MS letters.

In

* This was also the Governor's opinion; and in his letters he frequently asserts that Dunbar had no command in New-Hampshire, whilst he was in either of his governments. To be consistent, he should have maintained, that the Lieutenant Governor of Massachusetts had no command whilst he was in New-Hampshire; but there occurs an instance of a proclamation issued by Lieutenant Governor Phips, (March 25, 1737) on occasion of a riot at Boston, whilst the Governor was in New-Hampshire; and at his return, he issued another, in which he refers to the former, not only without censuring it, but in terms of approbation.

In justice to Mr. Belcher, it must be said, that there was no delay on his part, the proclamation being sent from Boston within six days. It also appears, from the secret and confidential letters of the Governor, that he disapproved the riot, and even called it rebellion ; that he gave particular orders to the magistrates, to make inquiry, and take depositions, and do their utmost to discover the rioters. If he did not advertise a reward, it was because there was no money in the treasury ; and if Dunbar had been sincere in his offer to pay it, he might have promised it, by advertisement. The true reason that the rioters were not discovered, was, that their plan was so artfully conducted, their persons so effectually disguised, and their confidence in each other so well placed, that no proof could be obtained ; and the secret remained with themselves, till the danger was over, and the government had passed into other hands.

A law had been made, for holding the Inferior Court of Common Pleas, alternately in each of the four old towns ; and the practice had been continued for several years, much to the convenience and satisfaction of the people ; but Dunbar remonstrated against it, to the Board of

1734. Trade, and moved for a disallowance of the act, because the people who had constructed him in his office deserved not much favor. The act was in consequence disallowed, and the courts were afterwards confined to Portsmouth. The order of disallowance, came to the hands of Dunbar, who called a meeting of the Council that they might advise to its publication. A majority of them would not consent till the original order was sent to Boston and Governor Belcher directed the publication of it. This transaction served as a matter of fresh complaint, and was alleged as an argument for the appointment of a Governor, who should reside constantly in the Province.
- June 13.

To finish what relates to Dunbar. He was caressed by the party in opposition to Belcher, under the idea that he had interest enough in England, to obtain a commission for the government of New Hampshire. In 1737 he went to England to prosecute his design; where, by his old creditors, he was arrested and thrown into prison. Thomlinson found means to liberate him; but perceived that he had neither steadiness nor ability for the station at which he aimed, nor interest enough to obtain it; though, by his presence

Thomlinson's letters, MS.

fence in England, he served to keep up the opposition to Belcher, and was used as a tool for that purpose, till the object was accomplished. After which he was (1743) appointed, by the East India Company, Governor of St. Helena. 1735.

The trade of the Province at this time consisted chiefly in the exportation of lumber and fish to Spain and Portugal, and the Caribbee Islands. The mast trade was wholly confined to Great Britain. In the winter small vessels went to the southern Colonies, with English and West India goods, and returned with corn and pork. The manufacture of iron within the Province, which had been set up by the late Lieutenant Governor Wentworth, and other gentlemen, lay under discouragement, for want of experienced and industrious workmen. The woollen manufacture was diminished, and sheep were scarcer than formerly; the common lands on which they used to feed, being fenced in by the proprietors. The manufacture of linen was much increased by means of the emigrants from Ireland, who were skilled in that business. No improvements were made in agriculture, and the newly granted townships were not cultivated with spirit or success.

Belcher's
Letters to
the Board
of Trade.
MS.

1735. There had not been any settled Episcopal Church in the Province from the beginning, till about the year 1732 ; when some gentlemen who were fond of the mode of divine worship, in the Church of England, contributed to the erection of a neat building on a commanding eminence, in Portsmouth, which they called the Queen's Chapel. Mr. Thomlinson was greatly instrumental of procuring them assistance in England, toward completing and furnishing it. It was consecrated in 1734 ; and in 1736 they obtained Mr. Arthur Browne for their minister, with a salary from the society for propagating the gospel in foreign parts.

About this time, the country was visited with a new epidemic disease, which has obtained the name of the *throat distemper*. The general description of it is a swelled throat, with white or ash-colored specks, an efflorescence on the skin, great debility of the whole system, and a strong tendency to putridity. Its first appearance was in May 1735, at Kingston in New-Hampshire, an inland town, situate on a low plain. The first person seized, was a child, who died in three days. About a week after, in another family, at the distance of four miles, three children were successively

Douglas's
practical
history of a
new military
fever.

Fitch's
Narrative.

successively attacked, who also died on the third day. It continued spreading gradually, in that township, through the summer, and of the first forty who had it, none recovered. In August it began to make its appearance at Exeter, six miles north-eastward; and in September, at Boston,* fifty miles southward, though it was October, before it reached Chester, the nearest settlement on the west of Kingston. It continued its ravages through the succeeding winter and spring, and did not disappear till the end of the next summer.

The most, who died of this pestilence, were children; and the distress, which it occasioned, was heightened to the most poignant degree. From three to six children

* On its first appearance in Boston, it was supposed to be nothing more than a common cold; but when the report of the mortality in New-Hampshire was received, and a young man from Exeter, whose brother had died of it, was seized (October 1735) the house was shut and guarded, and a general alarm spread through the neighbouring towns and colonies. Upon his death, no infection was observed in that house or neighbourhood; but the distemper appeared in other places, which had no communication with the sick. The physicians did not take the infection, nor convey it to their families, nor their other patients. It was therefore concluded, that it was not like the small pox, or the plague, communicable by infection, from the sick or from clothes; and the physicians, having by desire of the selectmen, held a consultation, published their opinion; that it proceeded entirely from 'some occult quality in the air.'

Weekly News Letter, April 29, 1736.

Dr. Douglass computes the number of persons who had the distemper in Boston at 4000; of whom 114 died, which is one in 35. The whole number of inhabitants at that time was estimated at 16,000.

1735. dren were lost out of some families ; several buried four in a day, and many lost their all. In some towns, one in three and in others one in four of the sick were carried off. In the parish of Hampton Falls it raged most violently. Twenty families buried all their children. Twenty seven persons were lost out of five families ; and more than one sixth part of the inhabitants of that place died within thirteen months. In the whole Province not less than one thousand persons, of whom above nine hundred were under twenty years of age, fell victims to this raging distemper.

Since the settlement of this country such a mortality had not been known. It was observed, that the distemper proved most fatal, when plentiful evacuations, particularly bleeding, were used ; a great prostration of strength being an invariable symptom. The summer of 1735, when the sickness began, was unusually wet and cold, and the easterly wind greatly prevailed. But it was acknowledged to be, not ‘ a creature of the seasons ;’ as it raged through every part of the year. Its extent is said to have been ‘ from Pemaquid to Carolina ;’ but with what virulence it raged, or in what measure it proved fatal, to the southward of New-England, does not appear.

The same distemper has made its appearance at various times since. In 1754

1755, it produced a great mortality in several parts of New-Hampshire, and neighbouring parts of Massachusetts.

At that time it has either put on a mild form, or physicians have become better acquainted with it. The last time of its

general spreading was in 1784, 5, 6 and 7.

It was first seen at Sanford in the county

York; and thence diffused itself, very

rapidly, through most of the towns of New-

England; but its virulence, and the mor-

tality which it caused, were comparatively

considerable. 'Its remote, or predispos-

ing cause, is one of those mysteries in

nature, which baffle human inquiry.'

Dr. Hall
Jackson's
Observa-
tions, 1786

The

The following TABLE, drawn from an account published by Mr. FITCH, minister of *Portsmouth*, July 26, 1736; is a BILL of MORTALITY for 14 months preceding.

TOWNS.	Under 10.	Between 10 & 20.	Above 20.	Abo. 30.	Abo. 40	Abo. 50.	To Total.
Portsmouth	81	15	1		2		99
Dover	77	8	3				88
Hampton	37	8	8	1		1	55
Hampton-Falls	160	40	9	1			210
Exeter	105	18	4				127
New-Castle	11						11
Gosport	34	2			1		37
Rye	34	10					44
Greenland	13	2	3				18
Newington	16	5					21
Newmarket	20	1		1			22
Stretham	18						18
Kingston	96	15	1	1			113
Durham	79	15	6				100
Chester	21						21
	802	139	35	4	3	1	984

After this account was taken 'several other children' died of the throat distemper. In the town of Hampton 13 more within the year 1736. So that the whole number must have exceeded a thousand. In the town of Kittery, in the County of York, died 122.

It appears also, from the church records of Hampton, that from January 1754, to July 1755, fifty-one persons died of the same distemper, in that town.

C H A P. XVII.

*e of parties. Controversy about lines.
Commissioners appointed. Their session and
sult. Appeals. Complaints.*

WE have now come to that part of the History of New-Hampshire, which may be seen, operating in a small-where, the same spirit of intrigue which frequently influenced the conduct of states, and determined the fate of nations. Whilst on the one hand, we see Massachusetts stiffly asserting her chartered rights; and looking with contempt, on a small Province of New-Hampshire, to which she had formerly exercised jurisdiction; we shall see, on the other hand, New-Hampshire aiming at an equal rank, contending with her for a large portion of territory; not depending solely on the Crown; but seeking her refuge in the royal favor, and making interest with the servants of the Crown. Had the controversy been decided by a court of law, the claims of Massachusetts would have had as much weight, as those of an individual, in a case of private property; but the question being concerning a line of jurisdiction,

jurisdiction, it was natural to expect a decision, agreeable to the rules of policy and convenience ; especially where the tribunal itself was a party concerned.

It must be observed, that the party in New-Hampshire, who were so earnestly engaged in the establishment of the boundary lines, had another object in view, to which this was subordinate. Their avowed intention was to finish a long controversy, which had proved a source of inconvenience to the people who resided on the disputed lands, or those who sought an interest in them ; but their secret design was to displace Belcher, and obtain a Governor who should have no connexion with Massachusetts. To accomplish the principal, it was necessary that the subordinate object should be vigorously pursued. The Government of New-Hampshire, with a salary of six hundred pounds, and perquisites amounting to two hundred pounds more, equal in the whole to about eight hundred ~~dollars~~ per annum, was thought to be not worthy the attention of any gentleman ; but if the lines could be extended on both sides, there would be at once an increase of territory, and a prospect of speculating in landed property ; and in future there would be an increase

Pounds

of cultivation, and consequently of ability to support a Governor.

The people were told that the lands would be granted to them; and by this bait they were induced to favor the plan; whilst the ministry in England, were flattered with the idea, of an increase of crown influence in the plantations.

The leading men in Massachusetts were aware of the views of those in New-Hampshire, and determined to guard against them. They presumed, that a line of jurisdiction would not affect property; and therefore endeavored to secure the lands to themselves, by possession and improvement, as far as it was practicable. The same idea prevailed among the Governor's friends in New-Hampshire. They perceived, that a tract of wilderness on the north eastern side of Merrimack River, and the ponds which flow into it, must doubtless fall into New-Hampshire. For these lands they petitioned the Governor, and a charter was prepared, in which this whole tract, called King's-Wood, was granted to them. It contained all the lands not before granted, between the bounds of New-Hampshire on the south-west and north-east; which, according to the ideas of those concerned, would have been sufficient for about four large townships.

Governor

Governor Belcher had a difficult part to act. He was at the head of two rival Provinces ; he had friends in both, who were seeking their own as well as the public interest : He had enemies in both, who were watching him, eager to lay hold on the most trivial mistake, and magnify it to his disadvantage. His own interest was to preserve his commission, and counter-act the machinations of his enemies ; but as the settlement of the line, and the removing of him from his office, were carried on at the same time, and by the same persons, it was difficult for him to oppose the latter, without seeming to oppose the former. Besides, Mr. Wilks, the agent of Massachusetts, was well known to be his friend ; and when it was found necessary to increase the number, one of them was his brother, Mr. Partridge. On the other hand, Mr. Rindge and Mr. Thomlinson were his avowed enemies. There was also a difference in the mode of appointing these agents. Those of Massachusetts were constituted by the Council and Representatives, with the Governor's consent. Those of New-Hampshire were chosen by the Representatives only, the Council non-concurring in the choice ; which, of course, could

could not be sanctioned by the Governor's signature, nor by the seal of the Province.

When the petition which Rindge presented to the King, had been referred to the Board of Trade, and a copy of it given to Wilks, to be sent to his constituents, it became necessary that they should instruct him. Their instructions were designedly expressed in such ambiguous terms, that he was left to guess their meaning, and afterward blamed for not observing their directions. His embarrassment on this occasion, expressed in his petition and counter petition, to the Board of Trade, protracted the business, and gave it a complexion, unfavorable to his constituents, but extremely favorable to the design of New-Hampshire.

To bring forward the controversy, Paris, the solicitor for the agents of New-Hampshire, moved a question, 'From what part of Merrimack river the line should begin?' The Board of Trade referred this question, to the Attorney and Solicitor General, who appointed a day to hear council on both sides. The council for New-Hampshire insisted, that the line ought to begin three miles north of the mouth of the Merrimack. The council for Massachusetts declared, that in their opinion,

1732.

Hutchinson II, 385.
Wilks's petitions & report of Board of Trade MS.

1733.

Printed brief.
MS report.

on, the solution of this question would determine the controversy, and there declined laying any thing upon it.

1734.

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Jan. 5.

attorney and solicitor reported, 'whether this were so or not, they could not judge; but as the question had been referred to them, they were of opinion that according to the charter of William and Mary, the dividing line ought to be taken, from three miles north of the mouth of Merrimack, where it falls into the sea.' Copies of this opinion were given to each party; and the Lord

1735.

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June 5.

Trade reported, that the King should appoint Commissioners, from the neighboring Provinces, to mark out the dividing line. This report was approved by the Lords of Council.

1737.

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Feb. 4 & 9.

Much time was spent in referring messages and petitions, concerning the adjustment of various matters; and at length, the principal heads of the commission were determined. The first was, that the commissioners should be appointed, from among the Counsellors of New-York, New-Jersey, Rhode-Island and Nova-Scotia. These were all royal governments, except Rhode-Island; and that Colony, as well as New-York, Massachusetts had a controversy, respecting the bounda-

boundaries. Connecticut, though proposed, was designedly omitted, because it was imagined that they would be partial to Massachusetts, from the similitude of their habits and interests. The other points were, that twenty commissioners should be nominated, of whom five were to be a quorum; that they should meet at Hampton, in New-Hampshire, on the first of August, 1737; that each Province should send to the Commissioners, *at their first meeting*, the names of two public officers, on whom any notice, summons, or final judgment might be served; and at the same time should exhibit, in writing, a plain and full state of their respective claims, copies of which should be mutually exchanged; and that if either Province should neglect to send in the names of their officers, or the full state of their demands, at the time appointed, then the Commissioners should proceed *ex parte*. That when the Commissioners should have made and signed their final determination, they should send copies to the public officers, of each Province; and then should adjourn for six weeks, that either party might enter their appeal.

1737.

Printed  
brief.

These points being determined; the Board of Trade wrote letters to Belcher, I encloſing

Feb. 18.

1737. enclosing the heads of the proposed commission, and directing him to recommend to the Assemblies of each Province, to choose their public officers, and prepare their demands, by the time when the Commissioners were to meet. These were accompanied with letters to the Governors of the several Provinces, from which the Commissioners were elected, informing them of their appointment. The letters were delivered to Parris, and by him to Thomlinson, to be sent by the first ship to America. Those to Massachusetts and New-Hampshire, were directed, the one to Mr. Belcher, by name, as Governor of Massachusetts; the other, to the commander in chief, *resident* in New-Hampshire; and it was required that the delivery of the letters should be certified by affidavit. The design of this singular injunction was, that Dunbar, if present, should receive the letter, and call the Assembly of New-Hampshire immediately; and that if Belcher should forbid or hinder it, the blame of the neglect should fall on him. At the same time another letter, respecting a petitioner on the line, and containing a reprimand to Belcher, was sent in the same manner, to be delivered by Dunbar, into Belcher's hands.

These

Original  
letters of  
Parris.

These intended affronts, both failed of 1737.  
 their effect ; Dunbar having, before the  
 arrival of the letters, taken his passage to  
 England.

The anxiety of Thomlinson, to have  
 the earliest notice possible, of the intend-  
 ed commission sent to New-Hampshire,  
 led him not only to forward the public  
 letters ; but to send copies of all the trans-  
 actions, to his friends there. In a letter Feb. 15.  
 to Wiggen and Rindge (the committee Original  
 who corresponded with him) he advised MS letter.  
 them, to make the necessary preparations,  
 as soon as possible, to act in conformity  
 to the commission and instructions ; and  
 even went so far as to nominate the per-  
 sons, whom they should appoint, to man-  
 age their cause before the Commissioners.

These papers were communicated to March 18.  
 the Assembly, at their session in March ;  
 and at the same time the Governor laid  
 before them, a copy of the report of the  
 Board of Trade, in favor of a com-  
 mission, which had been made in the  
 preceding December. In consequence of  
 which, the Assembly appointed a com-  
 mittee of eight \* who were empowered April 1.  
 to

\* Shadrach Walton,  
 George Jaffrey,  
 Jotham Odiorne,  
 Theodore Atkinson. } Of the  
 Council.

Andrew Wiggin,  
 John Rindge,  
 Thomas Packer,  
 James Jaffrey. } Of the  
 House.

1737.

Assembly  
Records &  
printed  
brief.

‘ to prepare witnesses, pleas and allegations, papers and records, to be laid before the Commissioners ; to provide for their reception and entertainment, and to draw upon the Treasurer for such supplies of money as might be needful.’ This appointment was made by the united voice of the Council and Representatives, and consented to by the Governor; and though it was made, three weeks before the reception of the letters, from the Lords of Trade, directing the appointing of public officers, and preparing a statement of claims; yet it was understood to be a full compliance with the orders and expectations of the government in England.

The same day on which this order passed, the Governor prorogued the Assembly to the sixth of July; and on the twentieth of June he prorogued it again, to the fourth of August.

The letters respecting the commission were delivered to Mr. Belcher, on the twenty-second of April; and he acknowledged the receipt of them, in a letter to the Board of Trade, on the tenth of May. The commission itself was issued on the ninth of April, and sent to Mr. Rindge who kept it till the meeting of the Commissioner

missioners, and then delivered it to them. 1737.  
 The expence of it, amounting to one hundred and thirty-five pounds sterling, was paid by the agents of New-Hampshire.

At the spring session of the General Court in Massachusetts; the Governor laid before them the letter from the Lords of Trade, inclosing an order from the Privy Council, and recommended to them to stop all processes in law, respecting any disputes of the borderers, till the boundaries should be determined. During the same session, he reminded them of the order, and desired them to consider it; telling them that he had *no advice* of the appointment of Commissioners. His meaning was, that the commission itself, in which they were named, had not been sent to him; nor was he actually informed that it was in America, till after he had prorogued the Assemblies of both Provinces to the fourth of August. In obedience to the royal order, the Assembly of Massachusetts appointed Josiah Willard, Secretary, and Edward Winslow, Sheriff of Suffolk, to be the two public officers; on whom, or at whose place of abode, any notice, summons, or other process of the Commissioners, might be served.

May 27.  
 Journal of  
 Assembly.

July 4.

July 5.



1737. On the day appointed eight of the Commissioners met at Hampton.\* They published their commission, opened their court, chose William Parker their clerk, and George Mitchel surveyor. On the same day, the Committee of eight, who had been appointed by the Assembly of New-Hampshire, in April, appeared; and delivered a paper to the court, reciting the order of the King, for the appointment of two public officers; alleging that the Assembly had not been convened since the arrival of that order; but, that there should be no failure for want of such officers, they appointed Richard Waldron, Secretary, and Eleazer Russell, Sheriff. They also delivered the claim and demand of New-Hampshire, in the following words. 'That the southern boundary of said Province should begin at the end of three miles north from the middle of the channel of Merrimack river, where it runs into the Atlantic Ocean; and from thence should run, on a straight line, west, up into the main land (towards the south sea) until it meets his Majesty's other

MS original minutes by Dr. Parker.

MS Minutes, and Massachusetts Journal, p. 34.

\* William Skene, Presi. } From  
Erasmus James Phillips, } Nova-  
Otho Hamilton. } Scotia.

Samuel Vernon, } From  
John Gardner, } Rhode-  
John Potter, } Island.  
Ezekiel Warner, }  
George Corncl. }

' other governments. And that the north-  
 ' ern boundary of New-Hampshire should 1737.  
 ' begin at the entrance of Piscataqua har-  
 ' bour, and so pass up the same, into  
 ' the river of Newichwanock, and through  
 ' the same, into the farthest head thereof;  
 ' and from thence northwestward, (that  
 ' is, north, less than a quarter of a point,  
 ' westwardly) as far as the British domin-  
 ' ion extends; and also the western  
 ' half of the Isles of Shoals, we say, lies  
 ' within the Province of New-Hampshire.'

The same day, Thomas Berry and Ben-  
 jamin Lynde, Counsellors of Massachusetts,  
 appeared and delivered the vote of their As-  
 sembly, appointing two public officers,  
 with a letter from the Secretary, by order  
 of the Governor, purporting, that 'at the  
 ' last rising of the Assembly there was *no*  
 ' *account* that any commission had arrived;  
 ' that the Assembly stood prorogued to  
 ' the fourth of August; that a commit-  
 ' tee had been appointed, to draw up a  
 ' state of their demands, which would be  
 ' reported at the next session, and there-  
 ' fore praying that this short delay might  
 ' not operate to their disadvantage.' Up-  
 on this, the committee of New-Hamp-  
 shire drew up and presented another pa-  
 per, charging the government of Massa-  
 chusetts

August 2.

1737. *MS Minutes.* chusetts with 'great backwardness, and  
 'aversion to any measures, which had a  
 'tendency to the settlement of this long  
 'subsisting controversy; and also charg-  
 'ing their agent, in England, with having  
 'used all imaginable artifices, to delay the  
 'issue; for which reason, the agent of  
 'New-Hampshire had petitioned the King,  
 'to give directions, that each party might  
 'be fully prepared, to give in a state of  
 'their demands, *at the first meeting* of the  
 'Commissioners; which direction they  
 'had faithfully observed, to the utmost of  
 'their power; and as the Assembly of  
 'Massachusetts had made no seasonable  
 'preparation, they did, in behalf of New-  
 'Hampshire, except and protest against  
 'any claim or evidence being received  
 'from them, and pray the court to pro-  
 'ceed *ex parte*, agreeably to the commis-  
 'sion.'

It was alleged in favor of Massachu-  
 setts, that by the first meeting of the  
 Commissioners could not be meant the  
 first day, but the first session. The court  
 understood the word in this sense, and re-  
 solved, that Massachusetts should be al-  
 lowed time, till the eighth of August,  
 and no longer, to bring in their claims;  
 and that if they should fail, the court  
 would

would proceed *ex parte*. The Court then 1737.  
adjourned to the eighth day.           

The Assembly of New-Hampshire met August 4.  
on the fourth; and the Secretary, by the  
Governor's order, prorogued them to the  
tenth, then to meet at Hampton-Falls.  
On the same day, the Assembly of Massa-  
chusetts met at Boston; and after they  
had received the report of the committee,  
who had drawn up their claim, and dis-  
patched expresses to New-York and New-  
Jersey, to expedite the other Commissioners;  
and appointed a committee to support  
their claims;\* the Governor adjourned  
them, to the tenth day, then to meet  
at Salisbury. Thus the Assemblies of  
both Provinces were drawn within five  
miles of each other; and the Governor  
declared, in his speech, that he would 'act  
'as a common father to both.'

Massachu-  
setts As-  
sembly  
Records

The claim of Massachusetts being pre-  
pared, was delivered to the Court, on the  
day appointed. After reciting their grant  
and

August 8.

\* This committee consisted of Edmund Quincy, William Dudley, Samuel Welles, Thomas Berry, and Benjamin Lynde, of the Council; and ELIZABETH COOKE, Thomas Cushing, Job Almy, Henry Rolfe, and Nathaniel Peaslee, of the House. Cooke died while the Commissioners were sitting. He had been employed on the same affair at Newbury in 1731, and it was by his means that the business was then obstructed. In reference to this, Belcher, in a private letter says, 'Generations to come will rise up and call him CURSE.' On account of Cooke's death, and the absence of another member, they appointed John Read and Robert Auchmuty. August 13.

1737. and charters, and the judicial determination in 1677, they asserted their 'claim  
 Journal, ' and demand, still to hold and possess, by  
 page 6. ' a boundary line, on the southerly side of  
 ' New-Hampshire, beginning at the sea,  
 ' three English miles north from the Black  
 ' Rocks, so called, at the mouth of the river  
 ' Merrimack, as it emptied itself into  
 ' the sea sixty years ago; thence running  
 ' parallel with the river, as far northward  
 ' as the crotch or parting of the river;  
 ' thence due north, as far as a certain tree,  
 ' commonly known for more than seventy  
 ' years past, by the name of Endicot's  
 ' tree; standing three miles northward of  
 ' said crotch or parting of Merrimack river;  
 ' and thence, due west to the South  
 ' Sea; which (they said) they were able to  
 ' prove, by ancient and incontestible evidence,  
 ' were the bounds intended, granted  
 ' and adjudged to them; and they insisted  
 ' on the grant and settlement as  
 ' above said, to be conclusive and irrefragable.

• ' On the northerly side of New-Hampshire,  
 ' they claimed a boundary line, beginning  
 ' at the entrance of Piscataqua  
 ' harbour; passing up the same, to the  
 ' river Newichwanock; through that to  
 ' the farthest head thereof, and from thence  
 ' a due

'a due north west line, till one hundred 1737.  
'and twenty miles from the mouth of {  
'Piscataqua harbour be finished.'


The Court ordered copies of the claims of each Province, to be drawn and exchanged; and having appointed Benjamin Rolfe of Boston, an additional Clerk, they adjourned to the tenth day of the month.

On that day both Assemblies met at the appointed places. A cavalcade was formed from Boston to Salisbury, and the Governor rode in state, attended by a troop of horse.\* He was met at Newbury ferry by another troop; who, joined by three more at the supposed divisional line, conducted him to the George Tavern, at Hampton-Falls; where he held a Council and made a speech to the Assembly of New-Hampshire. Whilst both Assemblies were in session; the Governor, with a select company, made an excursion, of three

Aug. 10.

\* This procession occasioned the following pasquinade, in an assumed Hibernian style.

'Dear Paddy, you ne'er did behold such a sight,  
As yesterday morning was seen before night.  
You in all your born days saw, nor I didn't neither,  
So many fine horses and men ride together.  
At the head, the lower house trotted two in a row,  
Then all the higher house pranc'd after the low;  
Then the Governor's coach gallop'd on like the wind,  
And the last that came foremost were troopers behind;  
But I fear it means no good, to your neck nor mine;  
For they say 'tis to fix a right place for the line.'

1737.  three days, to the falls of Amuskeag; an account of which was published in the papers, and concluded in the following manner: 'His Excellency was much pleased with the fine soil of Chester, the extraordinary improvements at Derry, and the mighty falls at Skeag.'

Boston  
Weekly  
News Letter,  
Aug.  
25.

Assembly  
Journal  
and printed  
brief.

In the speech, which the Governor made to the Assembly of New-Hampshire, he recommended to them to appoint two officers, agreeably to his Majesty's commission. The Assembly appeared to be much surprised at this speech; and in their answer, said, that 'the committee before appointed had already given in the names of two officers, which they approved of; for had it not been done, at the first meeting of the Commissioners, they might have proceeded *ex parte*.'

Considering the temper and views of Mr. Belcher's opponents, this was rather unfortunate for him, so soon after his profession of being 'a common father to both Provinces.' For if the committee had a right to nominate the two officers, then his recommendation was needless; if they had not, it might justly be asked, why did he not call the Assembly together, on the sixth of July, to which day they had been prorogued? The excuse was,  
that

that he did it, to avoid any objection, which might be made to the regularity of their appointment; and to give them an opportunity to ratify and confirm it. The truth was, that Mr. Belcher highly resented the conduct of the committee of New-Hampshire, who concealed the commission, and never communicated it to him in form. Had he been aware of the use, which his enemies might make, of his rigid adherence to forms, when he could not but know the contents of the commission, and the time when it must be executed, prudence might have dictated a more flexible conduct. They did not fail, to make the utmost advantage of his mistakes, to serve the main cause which they had in view.

The expresses which were sent by Massachusetts, to call the other Commissioners, had no other effect than to add to the number, Philip Livingstone, from New-York; who, being senior in nomination, presided in the Court.

To prevent the delay, which would unavoidably attend the taking of plans from actual surveys; the Commissioners recommended, to both Assemblies, to agree upon a plan, by which the pretensions of each Province should be understood; but as  
this



1737. this could not be done, a plan drawn by Mitchel was accepted, and when their result was made this plan was annexed to it. They then proceeded to hear the answers, which each party made, to the demands of the other, and to examine witnesses on both sides. Neither party was willing to admit the evidence, produced by the other, and mutual exceptions and protests were entered. The points in debate were, whether Merrimack river, at that time, emptied itself into the sea, at the same place where it did sixty years before? Whether it bore the same name, from the sea, up to the crotch? and whether it were possible to draw a parallel line, three miles northward, of every part of a river; the course of which was, in some places, from north to south?

With respect to the boundary line, between New-Hampshire and Maine; the controverted points were, whether it should run up the middle of the river, or on its north-eastern shore; and whether the line, from the head of the river, should be due north-west, or only a few degrees westward of north.

The grand point on which the whole controversy respecting the southern line turned, was, whether the charter of William  
liam

liam and Mary granted to Massachusetts, 1737.  
 all the lands which were granted, by the  
 charter of Charles the first? On this ques-  
 tion, the Commissioners did not come to  
 any conclusion. Reasons of policy might  
 have some weight, to render them indeci-  
 sive; but, whether it were really so or not,  
 they made and pronounced their result in  
 the following words. 'In pursuance of  
 'his Majesty's commission, the Court took  
 'under consideration, the evidences, pleas,  
 'and allegations offered and made by each  
 'party; and upon mature advisement on  
 'the whole, a doubt arose in point of law;  
 'and the Court thereupon came to the  
 'following resolution. That if the char-  
 'ter of King William and Queen Mary,  
 'grants to the Province of Massachusetts  
 'Bay, all the lands granted by the charter  
 'of King Charles the first, lying to the  
 'northward of Merrimack river; then  
 'the Court adjudge and determine, that  
 'a line shall run, parallel with the said  
 'river, at the distance of three English  
 'miles, north from the mouth of the said  
 'river, beginning at the southerly side of  
 'the Black Rocks, so called, at low wa-  
 'ter mark) and from thence to run to the  
 'crotch, where the rivers of Pemigewasset  
 'and Winipiseogee meet; and from thence  
 'due

Sept 2.

MS Copy.

 Journal of  
 Massachu-  
 setts As-  
 sembly, p.  
 35.

1737. ' due north three miles, and from thence due  
 ' west, toward the south sea, until it meets  
 ' with his Majesty's other governments;  
 ' which shall be the boundary or dividing  
 ' line, between the said Provinces of Mas-  
 ' sachusetts and New-Hampshire, on that  
 ' side. But, if otherwise, then the Court  
 ' adjudge and determine, that a line on  
 ' the southerly side of New-Hampshire, be-  
 ' ginning at the distance of three miles  
 ' north, from the southerly side of the  
 ' Black Rocks aforesaid, at low water mark,  
 ' and from thence running due west, up  
 ' into the main land, toward the south  
 ' sea, until it meets with his Majesty's  
 ' other governments, shall be the bounda-  
 ' ry line between the said Provinces, on the  
 ' side aforesaid: Which point in doubt,  
 ' the Court humbly submit, to the wise  
 ' consideration of his most sacred Majesty,  
 ' in his Privy Council; to be determined  
 ' according to his royal will and pleasure.

' As to the northern boundary, between  
 ' the said Provinces, the Court resolve and  
 ' determine; that the dividing line shall  
 ' pass up through the mouth of Piscata-  
 ' qua harbour, and up the middle of the  
 ' river of Newichwanock, (part of which  
 ' is now called Salmon-Falls) and through  
 ' the middle of the same, to the farthest  
 ' head

'head thereof, and from thence north, 1737.  
'two degrees westerly, until one hundred  
'and twenty miles be finished, from the  
'mouth of Piscataqua harbour aforesaid ;  
'or until it meets with his Majesty's other  
'governments. And, that the dividing  
'line shall part the Isles of Shoals, and  
'run through the middle of the harbour,  
'between the islands, to the sea, on the  
'southerly side ; and that the southwester-  
'ly part of said islands shall lie in, and be  
'accounted part of, the Province of New-  
'Hampshire ; and that the north-easterly  
'part thereof shall lie in, and be account-  
'ed part of, the Province of Massachusetts  
'Bay ; and be held and enjoyed by the said  
'Provinces respectively, in the same man-  
'ner as they now do, and have heretofore  
'held and enjoyed the same.

'And the Court do further adjudge,  
'that the cost and charge arising by tak-  
'ing out the Commission, and also of  
'the Commissioners and their officers,  
'viz. the two Clerks, Surveyor and  
'Waiter, for their travelling expenses, and  
'attendance in the execution of the same,  
'be equally borne by the said Provinces.'

Thus this long depending question, af-  
ter all the time, expense and argument,  
which it had occasioned, remained unde-  
cided.

When

1737.



When this evasive decree was published, the Commissioners adjourned, to the fourteenth of October, to receive appeals; and the same day, the Governor, at the request of the Council only, adjourned the Assembly of New-Hampshire to the twelfth of October. By this sudden adjournment, it was impossible for them to obtain a copy of the decree, before their dispersion, or to frame an appeal, till two days before the time, when it must have been presented. The Assembly of Massachusetts continued their session, at Salisbury, five days longer. On the fifth of September, they obtained copies of the royal Commission, and the decree of the Commissioners, which they entered on their journal. On the sixth, they agreed upon an appeal; and on the seventh, at the united request of both Houses, the Governor adjourned them to the 12th of October.

The sudden adjournment of the Assembly of New-Hampshire, when that of Massachusetts continued their session, was unfortunate for Governor Belcher; and gave his opponents another advantage, to pursue their grand design against him. The reasons assigned for it were, that the report of the Commissioners being special, the whole matter would of course come before

before the King, without any appeal from either Province. For this reason, a majority of the Council were against an appeal. 1737.

That as the committee, appointed in April, had the same power to act in the recess, as in the session of the Assembly; and, as the Council were against appealing; so the appeal could not be made, by the whole Assembly, and therefore the Governor thought, that the best service which he could do to the Province, was to adjourn the Assembly, and leave the whole business in the hands of the committee. With respect to the short time, between the 12th and 14th of October, it was observed, that the claim of New-Hampshire was contained in a few lines, and their exceptions to the judgment of the Commissioners might be prepared in a quarter of an hour.

Both Assemblies met again, in the same places, at the appointed time. The Representatives of New-Hampshire having, by the help of their committee, in the recess of the Assembly, obtained the papers; framed their exceptions and sent a message, to know if the Council were sitting; but the Council, being determined against an appeal, had met and adjourned, without doing any business. The House therefore


1737. was reduced to the necessity of desiring the Commissioners to receive their appeal, without the concurrence of the Governor and Council. The appeal, from the Assembly of Massachusetts, was presented in due form, authenticated by the Speaker, Secretary and Governor. Their committee entered a protest against the appeal of New-Hampshire, because it was not an act of the whole Legislature; nevertheless, the Commissioners received it, and entered it on their minutes. Having received these appeals, the Commissioners adjourned their Court to the first of August in the next year, but they never met again.

Massachu-  
setts Jour-  
nal of As-  
sembly.

The Assembly of Massachusetts appointed Edmund Quincy and Richard Partridge Agents, to join with Francis Wilks, their former agent, in the prosecution of their appeal before the King; and raised the sum of two thousand pounds sterling, to defray the expense.

Printed  
brief.

When the Representatives of New-Hampshire proposed the raising of money, to prosecute their appeal, the Council non-concurred the vote. Their reasons were, that the appeal was not an act of the Council; that they had no voice in the appointment of the agent; and, that at the beginning of the affair, the House had declared

declared to the Council, that the expense of it would be defrayed by *private subscription*. 1737. 

At this session of the Massachusetts Assembly, Mr. Belcher put them in mind that he had suffered in his interest, by the continually sinking value of their bills of credit, in which his salary was paid; a point which he had, often before, urged them to consider. In answer to this message, they made him a grant of £333,6,8, in bills of the new tenor. The same day, they made a grant of the like sum, to the President of Harvard College. Both these sums appear to have been justly due; and at any other time, no exception could have been made to either. But, because the grant to the Governor happened to be made, at the same time with the grant of £2000 sterling to the agents, his opponents pretended, that he received it as a bribe, from the Assembly of Massachusetts, for favoring their cause.

Hutch. II,  
390.

Journal,  
Oct. 19.

The appeal of New-Hampshire, from the judgment of the Commissioners, was founded on the following reasons. With respect to the southerly line; because it made the Black Rocks, lying in a bay of Merrimack river, the point from which the three miles were to be measured; which

MSS.



1737. point was three quarters of a mile north of the river's mouth ; and, because a line, parallel with the river, was not only impracticable, but founded on the old charter, which had been vacated ; and, if practicable, yet ought not to go farther than the river held a westerly course. With respect to the northern boundary, they objected to that part of the judgment only, which directed the line to run up the middle of the river ; alleging that the grant to Gorges was only of land, between that river and Kenebec ; and that New-Hampshire had always been in possession of the whole river, and had maintained a fortress which commanded its entrance.

The appeal of Massachusetts was grounded on the following reasons. That by the charter of William and Mary, the old Colony of Massachusetts was re-incorporated without any exception ; that this charter empowered the Governor and General Assembly to grant all lands, comprehended in the old Colony ; that the committee of New-Hampshire acknowledged, that New-Hampshire lay without the late Colony of Massachusetts, by declaring that it was between that and the Province of Maine ; that the west line, claimed by New-Hampshire, would cross Merrimack river, thirty miles

miles from its mouth, and exclude forty <sup>1737.</sup>  
miles of said river out of Massachusetts, <sup>W</sup>  
though declared, by both charters, to  
be in it. They objected to extending  
the line of New-Hampshire till it should  
meet with his Majesty's other governments;  
because according to *Mason's grant*, New-  
Hampshire could extend no farther than  
sixty miles from the sea. With respect  
to the northern boundary, they objected  
to a line north, two degrees westwardly,  
alleging that it ought to be on the north-  
west point; they also excepted to the pro-  
traction of this line, till it should meet  
with his Majesty's other governments; al-  
leging that it ought to extend no farther  
than one hundred and twenty miles, the  
fixed limits of the Province of Maine.

It was unfortunate for Massachusetts  
that their committee had brought Mason's  
grant, in evidence to the Commissioners,  
and again recited it in their appeal; for a  
line of sixty miles from the sea would  
cross Merrimack river, long before the  
similar curve line, for which they contend-  
ed, could be completed. Besides, Mason's  
grant extended to Naumkeag; which was  
much further southward, than they would  
have been willing to admit.

1737.



Hutchinson II, 389.

MS minutes of the Commissioners.

Observed 1781.

It may seem curious and unaccountable to most readers, that the Commissioners should determine the northern, or rather eastern bounds of the northern part of New-Hampshire, to be a line drawn *north, two degrees westerly*, from the head of Salmon-fall River; when the express words of Gorges' patent are 'north westward.' The agents for Massachusetts, when this claim was put in by New-Hampshire, could hardly think it was seriously meant, when it was alleged that by northwestward must be understood, north *a little* westward. The only ostensible reason, given for this construction was, that if a northwest line had been intended, then a southeast line, drawn from the mouth of the harbour, would leave all the Isles of Shoals in New-Hampshire; whereas, the dividing line runs between them. On the other side, it might have been said, with equal propriety, that a line drawn south two degrees east, from the mouth of the harbour, would leave all these islands in Massachusetts. For the point where the islands are divided bears south, twenty-nine degrees east, from the middle of the harbour's mouth; the variation of the needle being six degrees west.

Where

When this affair was again agitated in England, the agents of Massachusetts obtained a certificate from the learned Dr. Halley, that a line northwestward ought to run forty-five degrees westward of the north point. This was demonstratively true; but there were political reasons for dissenting from mathematical demonstration. One of them is thus expressed, in a private letter, from a committee of the Assembly, to their agent Thomlinson. 'We hope that the northern line will be but a few degrees, to the westward of north, that his Majesty's Province may include the greatest number, and best mast trees for the royal navy.' Though this thought might never have occurred to a mathematician, yet some of the Commissioners were doubtless acquainted with it; and it was too important, not to have been communicated to the King's ministers. Another political reason of dissent was, that by enlarging New-Hampshire, there would be a better prospect of obtaining a distinct Governor, which was the grand object in view.

1737.

The new agent of Massachusetts, Edmund Quincy, died of the small-pox, soon after his arrival in London. The affair was then left in the hands of Wilks and

1738.

1738. and Partridge, neither of whom understood so much of the controversy as Thomlinson; who was also far superior to them in address. In his letters, to his friends in New-Hampshire, he frequently blames them for their negligence, in not sending to him the necessary papers in proper season; and when sent, for the want of correctness and regularity in them. But their deficiency was abundantly compensated by the dexterity of his solicitor, Parris; who drew up a long 'petition of appeal;' in which, all the circumstances, attending the whole transaction, from the beginning, were recited, and colored, in such a manner, as to asperse the Governor and Assembly of 'the vast, opulent, overgrown Province of Massachusetts;' while 'the poor, little, loyal, distressed Province of New-Hampshire' was represented as ready to be devoured, and the King's own property and possessions swallowed up, by the boundless rapacity of the charter government. Concerning the manner in which this masterly philippic was framed, and the principal object at which it was directed, there can be no better evidence, than that which is contained in a letter, written by Parris to Thomlinson, and by him sent to New-Hampshire. 'Two  
' nights

' nights ago, I received a heap of papers 1738.  
' from you, about the lines ; and have <sup>Feb. 4.</sup>  
' been four times to the Colony Office,  
' and Board of Trade, to discover what I  
' could in this imperfect affair ; but can-  
' not see the case, till after Tuesday next.  
' Notwithstanding which, I have, as well  
' as I can, *without proper materials*, drawn  
' up a long petition of appeal, to his Ma-  
' jesty ; and as the Massachusetts have  
' not yet presented theirs, I send you  
' the draught of it, and hope we shall have  
' our appeal, as well as the petition, from  
' the New-Hampshire Assembly, in, be-  
' fore the Massachusetts get theirs in. Had  
' your principals considered the great con-  
' sequence of being first, surely, in all this  
' time, they would have sent you a copy  
' of their proceedings, in order to have en-  
' abled us to be first ; but, as it is, I am  
' forced to *guess* at matters, and *affirm*  
' *facts at adventure*, or upon dubious passa-  
' ges in letters ; which is a sad way of pro-  
' ceeding, and I wish we do not mistake  
' some facts. They oblige us to make  
' brick without straw. Above all, why  
' did they not send a copy of their own  
' appeal ? For want of it, I have been for-  
' ced to *guess* what that appeal was, from  
' loose

1738. ' loose passages in Mr. A's letters. Beg  
 ' them, immediately to order, an exact  
 ' copy to be made of all their votes, from  
 ' March to October last. Had these votes  
 ' come over regularly and authentically,  
 ' his EXCELLENCY would have been *shak-*  
 ' *en quite down*, in a few weeks by them.  
 ' You'll observe, I have *laid it on him* pret-  
 ' ty handsomely, in my petition to the  
 ' King.\*

Thus the petition of appeal became a petition of complaint, against the Governor and Assembly of Massachusetts. Copies were delivered to their agents, and the Governor was ordered to make answer to the allegations against him. At the same time, Thomlinson advised his friends in New-Hampshire, to prepare their proofs, as *silently* as possible ; and by no means to give any offence to the Governor ; assuring them of the favorable disposition of several Lords of the Privy Council, as well as the Board of Trade, toward their cause ; and that they had need to be in no pain, about the event.

The

Thomlin-  
son's MS  
letters.

\* This petition is printed at large, in the Journal of the Massachusetts Assembly for 1738, with their vindication annexed, in which they call the petition ' a chain of blundering, if not malicious falsehoods.'

## NEW-HAMPSHIRE.

157

The death of Mr. Quincy at this critical period, and the length of time necessary to prepare and send over answers, to complaint which Parris had thus artfully drawn up, obliged the agents of Massachusetts to suspend the presenting their appeal for several months.

1738.

CHAP.



## C H A P. XVIII.

*Revival of MASON's claim. Accusations against BELCHER, real and forged. Royal censure. Final establishment of the line. HUTCHINSON's agency. Spanish war. BELCHER's zeal and fidelity. His removal. Examination of his character.*

THE spirit of intrigue was not confined to New-Hampshire; for the politicians of Massachusetts, by bringing into view the long dormant claim of Mason, had another game to play, besides proving the small extent of New-Hampshire. They perceived that the line, whether settled according to their own demand or that of New-Hampshire, would cut off a considerable part of several of their townships; and though they had, by their agent, obtained a promise, that private property should not be affected by the line of jurisdiction, yet they thought it best to have some other security.

For what reason the government of Massachusetts did not purchase the Province of New-Hampshire, from Robert Mason,

Mason, at the same time (1677) that they purchased the Province of Maine, from the heirs of Gorges, we are not now able precisely to determine. It is probable that the purchase might then have been easily made, and much controversy prevented. When it was sold, by John and Robert Mason, to Samuel Allen (1691) the bargain was made in England; and the lands were, by fiction of law, supposed to be there;\* by which means, the process respecting the fine and recovery was carried on in the Court of King's bench. During the lives of the two Masons, no notice was taken of the supposed flaw; and the sale to Allen was not disputed. The brothers returned to America. John the elder, died without issue. Robert married in New-England, and had a son; who, after the death of his father, conceived hopes of invalidating Allen's purchase, and regaining his paternal inheritance; which it was supposed could not have been transferred by his father and uncle, for any longer term, than their own lives. It was also said that the fiction, by which the lands were described, to be within the jurisdiction of the Courts

See Vol. I.  
p. 118.

\* In the process by which the entail was then docked, the situation of the lands is expressed in these words.

† In New-Hampshire, Main, Masonia, Laconia, Mason-hall and Mariana, in New-England, in America, in the parish of Greenwich.

MS in Proprietary Office.

of Westminster Hall, rendered the proceedings void ; and therefore that the entail was still good. Filled with these ideas, he made strenuous exertions, to acquire money, to assist him in realizing his expectations ; but died in the midst of his days, at the Havanna, whither he had made a voyage with this view. His eldest son, John Tufton, was bred to a mechanical employment in Boston ; and came of age, about the time in which the controversy between the two Provinces was in agitation. He inherited the enterprising spirit of his ancestors, and the public controversy called his attention to his interest.

(1718)

1738. On this young man, the politicians cast their eyes ; and having consulted council, on the validity of his claim, and the defect of the transfer ; they encouraged him to hope, that this was the most favorable time to assert his pretensions. Had they purchased his claim at once ; they might doubtless have obtained it for a trifle, and have greatly embarrassed the views of their antagonists. Instead of such a stroke of liberal policy, they treated with him, concerning the release of all those lands, in Salisbury, Amesbury, Haverhill, Methuen and Dracut, which the line would cut off ; and, for five hundred pounds currency,

MS copy  
of Read's  
and Auch-  
muty's o-  
pinions.

ty, obtained a quit-claim of twenty three thousand six hundred and seventy five acres. They also admitted his memorial to the Assembly; in which he represented to them, that his interest might probably be affected, by the final determination of the line, and praying that the Province would be at the expense of his voyage to England, to take proper measures for securing it. To this they consented, on condition that he should prove his descent from Captain John Mason, the original patentee. Depositions were accordingly taken in both Provinces, to which the public seals were affixed; and they put him under the direction of their agents, ordering his expenses to be paid, as long as they should judge his presence in England serviceable to their views.

The agents stated his case to their Council, the King's solicitor; and asked his opinion, how they should proceed; but he advised them, not to bring him into view, lest the Lords should think it an artifice, intended to perplex the main cause. On this consideration, they dismissed him from any farther attendance; and paid his expenses, amounting to above ninety pounds sterling.\*

Such

1738.

July 1.

Journal of  
Assembly.

MS copied  
in the Proprietary office.

Agent's  
letters in  
Secretary's  
Office of  
Massachusetts.

\* Mr. Hutchinson, in his History of Massachusetts, has passed over this whole transaction in silence; tho' it is well known that he was one of the managers of it. See Journal of Mass. Rep. June 2, 1738, p. 114.

1738.

Such a transaction, though conducted as privately as the nature of the thing would admit, did not escape the vigilance of Thomlinson; who, on finding Mason detached from the agents of Massachusetts, entered into an agreement with him, for the release of his whole interest, to the Assembly of New-Hampshire; in consideration of the payment of one thousand pounds, currency of New-England. This manœuvre served to strengthen the interest of New-Hampshire, and Thomlinson was much applauded for his dexterity. He had the strongest inducement, to continue his efforts in their favor; for no less than twelve hundred pounds sterling had been already expended, in prosecuting the affair of the line; which sum had been advanced by himself and Rindge. There was no prospect of repayment, unless the Province could be put under a separate Governor; and this point could not be obtained, till the removal of Belcher.

July 18.  
October 9.  
Printed  
brief and  
MS letters.

The agents of Massachusetts, after a long delay, presented their appeal; and followed it with a petition, for the benefit of their former protests, against the New-Hampshire appeal; objecting also to its regularity, as it contained matters of personal complaint, against the Governor;

nor; which had been no part of the records of the Commissioners. Thomlinson finding this new petition thrown in his way, applied for its being immediately heard; and at the hearing, it was dismissed, but without prejudice to the agents of Massachusetts being permitted, to object against the regularity of the New-Hampshire appeal, when it should come to a hearing. Such were the complaints against the Governor, and the importunity of his adversaries to prosecute them, that it was necessary to hear and dispatch them, before the appeal respecting the lines could be brought forward.

1738.

Nov. 30.

It must be remembered, that Mr. Belcher had enemies, in his government of Massachusetts as well as New-Hampshire, who united their efforts to obtain his removal from both; but, as they supposed him more vulnerable in his capacity of Governor of New-Hampshire, so they joined in strengthening the complaints, from that quarter, as a preparatory step, to effect his complete removal. Whilst he was engaged, in preparing for his defence, against the charges, in the petition of appeal; other attacks were meditating, which were conducted with such *silence* that it was impossible for him to guard

1739. against their effects. One of these was a  
 letter, purporting to have been written at  
 Exeter, subscribed by five persons, said to  
 be inhabitants of that town, and directed  
 to Sir Charles Wager, first Lord of the  
 Admiralty. In this letter it was said, that  
 ' finding his Lordship had ordered the  
 ' Judge Advocate of the Court of Admi-  
 ' ralty to inquire into the riot, which had  
 ' been committed there, (1734) and the  
 ' assault of the surveyor and his officers;  
 ' and fearing to be brought into trouble  
 ' on that account, they would confess the  
 ' whole truth. That they had been in-  
 ' dulged, by former surveyors, in cutting  
 ' all sorts of pine trees, till the appoint-  
 ' ment of Col. Dunbar to that office; who  
 ' had restrained and prosecuted them; but  
 ' that Governor Belcher had privately  
 ' given them encouragement, to go on;  
 ' by assuring them that they had the best  
 ' right to the trees; that the laws were  
 ' iniquitous, and ought not to be regard-  
 ' ed; that although he must make a shew  
 ' of assisting that Irish dog of a surveyor;  
 ' yet he would so manage it with the  
 ' Council and Justices, who were under  
 ' his influence, that they should not suf-  
 ' fer; and further to encourage them,  
 ' he had made several of them justices of  
 ' the

MS copy  
 of Exeter  
 letter.

the peace, and officers of militia. That he had also told them not to fear any inquiry into their conduct; for that he would write to the Board of Admiralty, in their favor; and boasted, that he had such an influence over their Lordships, that they would believe every thing which he should say. That as they had now confessed the truth, they hoped to be forgiven, and not prosecuted in the Admiralty Court; and begged that this information might be kept secret till the Governor's removal, which they hoped would soon be effected. That whatever might have been said to the contrary, they could assure him that the Province of New-Hampshire contained the largest number of pine trees, and of the best quality, in all his Majesty's American dominions; and, for further information, they referred his Lordship to several persons then in London, particularly to Mr. Wentworth and Mr. Waldo; the latter of whom, was agent to Mr. Gulston, for procuring masts for the royal navy.

On the receipt of this letter, Sir Charles, with the candor of a gentleman, sent a copy of it to Mr. Belcher; who immediately ordered an inquiry; and it was



1739. proved to be an entire forgery; four of the persons whose names were subscribed utterly disclaimed it, and the fifth was not to be found; no such person being known in the town of Exeter. The evidence of this forgery was transmitted to England, with all possible expedition; but not till it had made an impression, to the disadvantage of the Governor.

Belcher's  
letters MS.

Another artifice used against him, was a memorial of Gulston, the navy agent, and others; complaining of the defenceless state of the Province; that the fort lay in ruins, and that the militia were without discipline; notwithstanding the probability of a war. This memorial was so artfully drawn, as to throw the blame of the neglect on the Governor, without mentioning his name; which was intended, to prevent his obtaining a copy, and being allowed time to answer. Another complaint was made in the form of a letter, respecting the grant of the tract called Kingswood; in which he was represented, as partial to his friends, in giving them an exclusive right, to the whole of that territory, which they deemed, the unappropriated lands of the Province. Several parts of his administration were also complained of; and in particular

lar the infrequency of his visits to New-Hampshire. This letter was signed by six members of the Council, and a majority of the Representatives. 1739.

Gulston's memorial was presented to the Lords of Council; and by them referred to the Board of Trade, accompanied by the letter; and though Mr. Belcher's brother and son applied for copies, and time to answer, the request was evaded; and a report was framed, in favor of putting New-Hampshire under a separate Governor. When this report came before the Privy Council, Lord Wilmington, the President, ordered it back again; that the Governor might have that justice which his agents had asked. By this means, he had opportunity to answer in his defence; that without money, the fort could not be repaired; that it was not in his power to tax the people; that he had frequently applied to the Assemblies for money, to repair the fort; to which they had constantly answered, that the people were too poor to be taxed; and had solicited him to break through his instructions, and allow them to issue paper money, without any fund for its redemption; that the militia had always been trained according to law; and that

1739. he had constantly visited New-Hampshire, and held an Assembly, twice in the year, unless prevented by sickness; for which he appealed to the journals. To corroborate these pleas, the Governor's friends procured five petitions, in his favor, and praying for his continuance, signed by about five hundred people. The petitions, however, did not express the sense of the majority; who had been persuaded into a belief, that they should receive much benefit by a separate Governor; and accordingly, a counter petition being circulated, was signed by about seven hundred of the inhabitants.

Nov. 21.

Printed  
brief.

Things being thus prepared, the complaints were brought to a hearing, before the Lords of Council; who reported to the King, 'that Governor Belcher had  
' acted with great partiality, by proroguing the Assembly of New-Hampshire,  
' from the sixth of July, 1737, to the  
' fourth of August following; in disobedience to his Majesty's order in Council;  
' which had been transmitted to him by  
' the Lords of Trade, and which was  
' proved to have been delivered to him,  
' in due time; and, also by farther proroguing the said Assembly, from the second of September, 1737, to the thirteenth

'tenth of October; whereby the Province were deprived of the time, intended by his Majesty's said order, to be allowed them, to prepare a proper and regular appeal; thereby endeavoring to frustrate the intention of his Majesty's 'commission.' This report was approved by the King; and from this time, it may be concluded, that Mr. Belcher's removal from the Government of New-Hampshire was seriously contemplated. The grant of Kingswood was also annulled; and he was prohibited from making any other grants of land, till the lines should be determined.

1739.

Dec. 27.

This censure being passed on the Governor, and the complaints being at an end; the way was prepared for a hearing of the appeals, from both Provinces, respecting the lines. Which being had, the determination of this long controversy was made on a plan entirely new. The special part of the decree of the Commissioners was set aside, and no regard was had to their *doubt*, whether the new charter granted all the lands comprehended in the old. It was said, that when the first grant was made, the country was not explored. The course of the river, though unknown, was supposed to be from west to east; therefore

1740.

March 5.

1739. therefore it was deemed equitable, that  
 as far as the river flowed in that course, the  
 parallel line at three miles distance should  
 extend. But as on the one hand, if by  
 pursuing the course of the river, up into  
 the country, it had been found to have a  
 southern bend, it would have been in-  
 equitable to have contracted the Massa-  
 chusetts grant; so, on the other hand,  
 when it appeared to have a northern bend,  
 it was equally inequitable to enlarge it.  
 Therefore it was determined; 'that the  
 ' northern boundary of the Province of  
 ' Massachusetts be, a similar curve line,  
 ' pursuing the course of Merrimack river,  
 ' at three miles distance, on the north side  
 ' thereof, beginning at the Atlantic Ocean,  
 ' and ending at a point due north of Pa-  
 ' tucket falls; and a straight line drawn  
 ' from thence due west, till it meets with  
 ' his Majesty's other governments.' The  
 other parts of the decree of the Commis-  
 sioners, respecting the northern line, and  
 the payment of expenses, were affirmed.

Council  
 Records.

This determination exceeded the utmost  
 expectation of New-Hampshire; as it  
 gave them them a tract of country, four-  
 teen miles in breadth, and above fifty in  
 length, more than they had ever claimed.  
 It cut off from Massachusetts, twenty eight

new

new townships, between Merrimack and Connecticut rivers ; besides large tracts of vacant land, which lay intermixed ; and districts from six of their old towns, on the north side of the Merrimack ; and if, as was then supposed, the due west line were to extend, to twenty miles east of Hudson's river, the reputed boundary of New-York ; a vast tract of fertile country, on the western side of Connecticut river, was annexed to New-Hampshire ; by which an ample scope was given, first for landed speculation, and afterward for cultivation, and wealth.

1740.

W

When this determination was known, the politicians of Massachusetts were chagrined and enraged. They talked loudly of injustice ; and some of the more zealous proposed trying the merits of the cause, upon the words of the charter, before the Judges in Westminster Hall ; who, it was expected, would upon their oath and honor reverse the judgment, and tell the King that he had mistaken the meaning of the royal charter. This would indeed have been a bold stroke. But a more moderate and pusillanimous scheme was adopted ; which was to send over a new agent, to petition the King, that he would re-annex to their government, the twenty eight

Belcher's letters.

1740. eight new townships, which had been cut off, and the districts of the six old towns. It was also thought prudent, that the whole Province should not openly appear, in the affair; but that petitions should be drawn, by the inhabitants of these towns, and that the agent should be chosen by them. Accordingly town meetings were held; petitions were prepared and subscribed; and THOMAS HUTCHINSON was appointed their agent, and sent over to England; where he formed those connexions, which afterward served to raise him, to the chair of government in his native Province.

Thomlin-  
son's ob-  
servations  
on Mas-  
sachusetts  
petition.  
MS.

Thomlin-  
son's MS  
letters.

About the same time, Governor Belcher procured a petition, from his six friends, of the Council of New-Hampshire, to the King; praying that the *whole* Province might be annexed to the government of Massachusetts. This matter had been long in contemplation, with these gentlemen; but was now produced at the most unfortunate time, which could have been chosen. Their petition was at once rejected. But that from the towns was kept in suspense a long time; till Thomlinson was prepared, to answer all the pleas, which Hutchinson could advance, and proved too hard an antagonist for him.

It

It was finally dismissed,\* because it was thought, 'that it never could be for his Majesty's service, to annex any part of his Province of New-Hampshire, as an increase of territory, to Massachusetts; but rather, that it would be for the benefit of his subjects there, to be under a distinct government.'

1740.

Bow brief.

Though Belcher's removal was seriously feared, by his best friends; yet he had so much interest with some of the Lords in high office, that they could not be prevailed with to give him up. The war, which had commenced between Britain and Spain, afforded him an opportunity, to signalize his zeal for the King's service; and he determined to prove himself, a faithful servant to the Crown, in every instance; in hope that a course of time and fidelity might efface the impressions, which had been made, to his disadvantage.

It being resolved by the British Court, to undertake an expedition to the Island of Cuba; Governor Belcher, agreeably to the orders which he had received from the Duke of Newcastle, issued a proclamation, for the encouragement of men who would enlist in the service; 'that they should be supplied with arms and clothing; be in  
' the

April 29.

\* The ill success of this agency was probably the reason, that Mr. Hutchinson took no notice of it, in his History of Massachusetts.



1740. ' the King's pay ; have a share of the booty  
 ' which should be taken ; and be sent home,  
 ' at the expiration of their time of service ;  
 ' and that his Majesty would order a num-  
 ' ber of blank commissions, to be filled up  
 ' by the Governor, and given to the officers,  
 ' who should command the troops, to be  
 ' raised in the Provinces.' He afterwards

August 1. pressed this matter, closely, in his speech  
 to the Assembly ; and urged them, to make  
 provision, for one hundred men, and a  
 transport, to convey them to Virginia ;  
 where all the Colony troops were to ren-  
 dezvous ; and thence to proceed, under  
 the command of Col. Gooch, to the place  
 of their destination. The Assembly voted,  
 as much as they judged sufficient for this  
 purpose ; and the Governor appointed a  
 Captain, and gave him beating orders ;  
 but the commissions and arms not being  
 sent, according to the royal promise, no  
 men could be enlisted in New-Hampshire.  
 Belcher's  
 letters. The Governor received commissions and  
 arms for four companies to be raised in  
 Massachusetts ; where he could easily have  
 enlisted ten, had he been furnished accord-  
 ing to the engagement. To this failure,  
 and not to any want of exertion, on his  
 part, in either of his governments, may  
 be ascribed the paucity of troops raised  
 : in

them; and yet his enemies failed not blaming him on this account. The representatives of New-Hampshire took occasion to frame a vote, disapprov-

1740.

August.

his administration; and upon this, their agent founded another battery, attack his character.

Thomlin-  
son's let-  
ters.

In conformity to the royal determination of the boundaries, orders were given Belcher, to apply to both his governments, to join in appointing Surveyors, to go out, and mark the lines; and that if either should refuse, the other should proceed *ex parte*. The Assembly of Massachusetts delayed giving an answer in season, which was construed a denial. The Assembly of New-Hampshire appointed three surveyors, to execute the service, who were commissioned by the Governor. They were directed to allow ten degrees, for the westerly variation of the needle; and the work was performed in the months of February and March. George Mitchel surveyed and marked the similar curve line, from the ocean, three miles north of Merrimack river, to a station north of Wickett falls, in the township of Dracut. Richard Hazen began at that station and marked the west line, across Connecticut river, to the supposed boundary line of New-York.

1741.

1741. New-York. Walter Bryant began the line, from the head of Salmon-falls river, and marked it about thirty miles; but was prevented from proceeding farther, partly by the breaking up of the rivers, which rendered travelling impracticable; and partly by meeting a company of Indians who were hunting, and took his men who for a scouting party. In their return they found on one of the trees, which they had marked, 'the figure of a man's hand grasping a sword;' which they interpreted, as a signal of defiance, from the Indians.

MS returns  
in the files.

Bryant's  
Journal.

The return of these lines to the Board of Trade was one of the last acts of Mr. Belcher's administration. His enemies in both governments were indefatigable in their endeavors to remove him; and by their incessant applications to the ministry; by taking every advantage of his mistakes; by falsehood and misrepresentation; and finally, by the diabolical arts of forgery and perjury, they accomplished their views. He was succeeded in the government of Massachusetts, by WILLIAM SHIRLEY; and in New-Hampshire, by BENNING WENTWORTH.

Douglass  
I, 481.  
Hutchinson  
I, 397.

At this distance of time, when all these parties are extinct, and every reader may be

be supposed impartial; it may seem rather strange, that Governor Belcher should meet with such treatment, from the British Court, in the reign of so mild and just a Prince, as George the second. That Mr. Belcher was imprudent and unguarded, in some instances, cannot be denied. He was indeed zealous to serve his friends, and hearken to their advice; but, by this means, he laid himself open, to the attacks of his enemies; to whom he paid no court, but openly treated them with contempt. His language to them was severe and reproachful, and he never spared to tell the world, what he thought of them.

This provoked them; but they had the art to conceal their resentment, and carry on their designs, in silence, till they were ripe for execution. He had by far too mean an opinion of their abilities, and the interest which they had at Court; and when he knew that they had the ear of the Lords of Trade, he affected to think them, 'not very mighty Lords, nor able to administer life and death.' He had a consciousness, of the general integrity of his own intentions; and appears to have been influenced, by motives of honor and justice; but he was not aware of the force

1741. of his own prejudices. It may admit of doubt, whether, considering the extreme delicacy of his situation, it were within the compass of human policy, to have conducted so as to give offence to neither of his Provinces, in the management of such a controversy; but it is certain, that his antagonists could not fairly fix but one real stigma, on his character; and that when impartially examined, can amount to no more than an imprudent step, at a critical time, grounded on an undue resentment of an affront; for to suppose that his *intention* was to frustrate the commission, is inconsistent with the whole tenor of his public declarations, and private correspondence. When his enemies met him on fair and open ground, he was always prepared to answer; but it was impossible to guard against their secret attacks. If the cause which they meant to serve was a good one, why did they employ the basest means to effect it?

The cruelty and hardship of his case may appear from the following considerations. He had been one of the principal merchants of New-England; but, on his appointment, to the Chair of Government, quitted every other kind of business; that he might attend with punctuality and dignity

dignity to the duties of his station. By 1741.  
the royal instructions, he was restrained  
from giving his assent; to any grant of  
money, to himself; unless it should be a  
permanent salary. What he received from  
New-Hampshire was fixed, and paid out  
of the excise; but the Assembly of Massa-  
chusetts could not be persuaded, to settle  
any salary upon him. They made him a  
grant of three thousand pounds, (worth  
about seven or eight hundred sterling) ge-  
nerally once in a year, at their session  
in May. He was then obliged to solicit  
leave from the King, to accept the grant,  
and sign the bill; and sometimes could  
not obtain this leave till the end of the  
year; once not till five days before the  
dissolution of the Assembly. In the mean  
time he was obliged to subsist on his own  
estate; and had he died within the year,  
the grant would have been wholly lost, to  
his family. He was earnest to obtain a  
general permission to sign these grants;  
but in that case the clerks of offices, in  
England, through whose hands the per-  
mission must have passed, would have lost  
their fees. He was now in the sixtieth  
year of his age; he had a family of chil-  
dren and grand children, whose sole de-  
pendence was on him; and he thought  
with

1741. with reason, that if his course of faithful service, and the unworthy arts of his enemies had been duly considered; the censure of his superiors would have been less severe, than 'to deprive him of his bread and honor.'

Whilst he entertained the worst opinion possible of the characters of his enemies, he had a strong confidence, in the justice of the government, before which he was accused. In one of his letters to his son, he says, 'I must expect no favor while Bladen is at the Board of Trade;' but 'were the devil there, I should expect justice, under the British Constitution, corroborated by the Hanover succession.' The event proved, that his confidence was not ill founded. For, on being superseded, he repaired to Court; where, though his presence was unwelcome to some, yet he had opportunity to bring the most convincing evidence of his integrity, and of the base designs of his enemies. He was so far restored to the royal favor, that he obtained a promise, of the first vacant government in America, which would be worthy of his acceptance. This proved to be the Province of New-Jersey; where he spent the remaining years of his life; and where his memory has been treated with deserved respect,

C H A P.

## C H A P. XIX.

*The beginning of BENNING WENTWORTH'S administration. War opened in Nova-Scotia. Expedition to Cape-Breton ; its plan, conduct and success, with a description of the island, and of the city of Louisbourg.*

**B**ENNING WENTWORTH, Esq. son of the deceased Lieutenant Governor, was a merchant of good reputation in Portsmouth, and well beloved by the people. He had represented his native town in the Assembly for several years, where he distinguished himself in the opposition to Belcher. He afterward obtained a seat in Council ; where, sensible of the popularity of his family ; and feeling the pride of elevation, he continued the opposition, and joined in the measures which were pursued for obtaining a distinct Governor, without any apprehension that himself would be the person ; till a series of incidents, at first view unfortunate, prepared the way for his advancement to the chair.



In the course of his mercantile dealings, he had entered into a contract with an agent of the Court of Spain, and supplied him with a large quantity of the best oak timber; to procure which, he borrowed money in London. When he delivered the timber at Cadiz, the agent with whom he had contracted, was out of place, and the new officer declined payment. In returning to America the ship foundered and he was saved with the crew in a boat. These misfortunes deranged his affairs and reduced him to a state of bankruptcy. Afterward he went again to Spain, hoping by the interest of Sir Benjamin Keene, the British Minister, to obtain his due, but his suit was ineffectual. About that time Thomlinson, despairing of Dunbar's advancement to the government of New-Hampshire, turned his thoughts toward Wentworth; and having procured him a letter of license from his creditors in London, invited him thither. Wentworth represented his case to the British Court, complained of the injustice of Spain, and petitioned for redress. Many British merchants, who had suffered by the insolence of the Spaniards, were, at the same time, clamorous for reparation. The ministry were studious to avoid a war. A negotiation

Thomlin-  
son's let-  
ters. MS.

Gentle-  
man's Ma-  
gazine, for  
1739.

ation was begun, and the Court of Spain promised restitution ; but failed in the performance. War was then determined on, and all negociation ended. Disappointed in his plea for justice, Wentworth made his suit for favor ; and by the aid of Thomlinson, who understood the ways of access to the great, he obtained a promise from the Duke of Newcastle, that when New-Hampshire should be put under a distinct Governor, he should have the commission. The expense of the solicitation and fees, amounting to three hundred pounds sterling, was advanced by his friends in England, and repaid by his friends in New-Hampshire.

MS letters  
of Thom-  
linson and  
Atkinson.

He was received in Portsmouth, after a long absence, with great marks of popular respect. Among the compliments which were paid to him on that occasion, one was, that he had been instrumental of 'rescuing New-Hampshire from contempt and dependence.' In his first speech to the Assembly he reflected on the conduct of his predecessor, not by name, but by implication ; for not having taken early measures to raise men for the expedition against the Spanish West-Indies ; and intimated his apprehension, that the good intention of the Province in raising money

\*  
1741.  
Dec. 12.

Journal of  
Assembly.  
Jan. 14.

1742. for that purpose, would be frustrated, since the men who were willing to enter into the service had enlisted in the other Provinces. He also complimented them, on their good faith in regard to the several emissions of paper money ; all of which were to be called in within the present year. He did not forget to recommend a fixed salary for himself, not subject to depreciation ; nor the payment of expenses which had arisen on account of the boundary lines ; he informed them of the King's indulgence, in giving him leave to consent to a farther emission of bills of credit, to enable them to discharge their obligations to the Crown ; provided that no injury should be done to the trade of the mother country. He also recommended to their attention the faithful services of their agents, one of whom, Rindge, was dead, and the payment of the debt due to his heirs.

The Assembly, in their answer, acknowledged the wisdom and justice of the King in determining the long controversy between them and Massachusetts ; but as to payment of the expense, they reminded him that one half ought to be paid by Massachusetts, and desired him to use his influence for that purpose. With respect

to the failure of raising men for the expedition, they set him right by ascribing it to the true cause; there being no commissions sent to the Province for that service. Concerning the salary, they said, that as soon as they could know what number of inhabitants would be added to them by the settlement of the lines, and how the money could be raised, they should make as ample provision for his honorable support as their circumstances would admit. They acknowledged the fidelity and industry of their agents, and professed a good will to reward them; but could not then promise adequate compensation.

The Assembly voted a salary of two hundred and fifty pounds, proclamation money, to the Governor, funded as usual on the excise; and having obtained the royal license for emitting twenty-five thousand pounds on loan for ten years, they granted the Governor two hundred and fifty pounds more, to be paid annually out of the interest of the loan. When this fund failed, they made annual grants for his 'further and more ample support,' and generally added something for house-rent. They presented their agent Thomlinson one hundred pounds sterling, for his faithful services; but what they did for the heirs of Rindge does not appear.

After

MS. A. 9. 1.

1742.

1743. After Mr. Wentworth was quietly seated in the chair of government, an opportunity presented to advance his interest still farther. For the sum of two thousand pounds sterling, Dunbar was prevailed on to resign the surveyorship of the woods, and Thomlinson negotiated an appointment in favor of Wentworth, with a salary of eight hundred pounds sterling, out of which he was to maintain four Deputies. But to obtain this office, he was obliged to 'rest his claim on the 'Crown of Spain for fifty-six thousand dollars.'

These appointments of Mr. Wentworth gave the opposers of the former administration great cause of triumph; but the spirit of opposition had only changed sides. It was hoped and expected by some, that Mr. Belcher, by going to England, would not only remove the ill impressions, which the malice of his enemies had made; but return to his former station. Others, who had no predilection for Belcher, looked with envy on the good fortune of Wentworth, and aimed to undermine him; at the same time courting the friends of the former administration to join in their measures. These things were managed with secrecy, and a few hints only  
are


are left as evidence of the existence of designs, which were never brought to maturity. 1743.

It was one of the royal instructions to Governors, that in any cases of difficulty or sudden emergency, they should communicate with each other. Mr. Wentworth had a high opinion of the abilities of the new Governor of Massachusetts, and there being a strict friendship between them, consulted him on all occasions. Shirley was gratified by this deference, and knew how to make his advantage of it. Thus, though New-Hampshire was under a Governor distinct from that of Massachusetts, a point which had long been contended for; yet the difference was not so great in reality as in appearance. This was a circumstance not much known at that time. The advice which Shirley gave him was, in general, salutary and judicious.

MS letters  
of Went-  
worth and  
Shirley.

The war which had been kindled between Britain and Spain, extended its flame over a great part of Europe; and when France became involved in it, the American Colonies were more nearly interested, because of the proximity of the French, and of the Indians, who were in their interest. War is so natural to sav-  
ages,

1744.

1744.  ages, that they need but little to excite them to it. An Indian war was a necessary appendage of a war with France. The scene of both was opened in Nova-Scotia.

That Province had been alternately claimed and possessed by the English and French for more than a century. Ever since the peace of Utrecht it had been subject to the Crown of Britain, and the French inhabitants who were under a kind of patriarchal government of their priests, and devoted to the French interest, were kept in awe, partly by the fear of having their dikes destroyed, which they had erected to prevent the sea from overflowing their fields; and partly by a British garrison at Annapolis where a Governor and Council resided. The Indian tribes maintained their native independence, though they were attached to the French by religious, as well as interested obligations. Canseau, an island on the northeastern part of Nova-Scotia, was in possession of the English. It was resorted to by the fishermen of New-England. It was defended by a block-house and garrisoned by a detachment of troops from Annapolis. The island of Cape-Breton was possessed by the French, and lay between the English of Canseau and those of Newfoundland.

foundland. This was too near a neighbourhood for enemies, especially when both were pursuing one object, the fishery. 1744.

The French at Cape-Berton having received early intelligence of the declaration of war; immediately resolved on the destruction of the English fishery at Canseau. Duquesnel, the Governor, sent Duvivier with a few small armed vessels, and about nine hundred men, who seized and took possession of the island, burned the houses, and made prisoners of the garrison and inhabitants. This was done, before the news of war had arrived in New-England. It was followed by an attempt upon Placentia, in Newfoundland, which miscarried. An attack was also made upon Annapolis, the garrison of which was reinforced by several companies of militia and rangers from Massachusetts, and the enemy were obliged to retire. The Indians of Nova-Scotia assisted the French in this attack; which, with some other insolencies committed by them, occasioned a declaration of war, by the government of Massachusetts, against them, with a premium for scalps and prisoners. March 15. May 13. Oct. 19. Douglass 1, 318.

These proceedings of the French were rash and precipitate. They were not prepared for extensive operations; nor had they



1744. The soil of this island is by no means inviting. It is either rocky and mountainous, or else cold and boggy; and much less capable of improvement than Nova-Scotia. Its only valuable productions are of the fossil kind, pit-coal and plaster. Its atmosphere in the spring and summer is an almost continual fog, which prevents the rays of the sun from perfecting vegetation. Its winter is severe and of long continuance; and as the island forms an eddy to the current which sets through the gulf of St. Lawrence, its harbours are filled with large quantities of floating ice, with which its shores are invironed till late in the spring.

State of  
Trade by  
Otis Little,  
p. 18 39.

Much has been said by French and English writers on the great importance and advantage of this island, and some political and temporary purposes were doubtless to be answered by such publications; but in fact the only real importance of Cape-Breton was derived from its central situation, and the convenience of its ports. On the north and west sides it is steep and inaccessible; but the south-eastern side is full of fine bays and harbours, capable of receiving and securing ships of any burden; and, being situated between Canada, France and the West-Indies,

Indies, it was extremely favorable to the French commerce. It was not so good a station for the fishery as several parts of Nova-Scotia and Newfoundland. The greater part of the French fishery was prosecuted elsewhere; and they could buy fish at Canseau, cheaper than they could cure it at Cape-Breton. 1744.

Hutchinson.

Whilst the French held possession of the coasts of Nova-Scotia and Newfoundland, this island was neglected; but after they had ceded these places to the Crown of England, and the Crown of England had ceded this island to them by the treaty of Utrecht (1713) they began to see its value. Instead of giving so much attention to the fur trade of Canada, as they had before done, they contemplated building a fortified town on this island, as a security to their navigation and fishery. For this purpose they chose a fine harbour on the south-east side of the island, formerly called English harbour; where they erected their fortifications, and called the place Louisbourg.

Charlevoix  
Douglass,  
Rolt,  
Prince.

The harbour of Louisbourg lies in latitude  $45^{\circ} 55'$ ; its entrance is about four hundred yards wide. The anchorage is uniformly safe, and ships may run ashore on a soft muddy bottom. The depth of

N

water

1744. water at the entrance is from nine to twelve fathoms. The harbour lies open to the south-east. Upon a neck of land on the south side of the harbour was built the town, two miles and a quarter in circumference ; fortified in every accessible part with a rampart of stone, from thirty to thirty-six feet high, and a ditch eighty feet wide. A space of about two hundred yards was left without a rampart, on the side next to the sea ; it was enclosed by a simple dike and a line of pickets. The sea was so shallow in this place that it made only a narrow channel, inaccessible from its numerous reefs to any shipping whatever. The side fire from the bastions secured this spot from an attack. There were six bastions and three batteries, containing embrasures for one hundred and forty-eight cannon, of which sixty-five only were mounted, and sixteen mortars. On an island at the entrance of the harbour was planted a battery of thirty cannon, carrying twenty-eight pounds shot ; and at the bottom of the harbour, directly opposite to the entrance, was the grand or royal battery of twenty-eight cannon, forty-two pounders, and two eighteen pounders. On a high cliff, opposite to the island battery, stood a light-house ;  
and

Abbe Ray-  
nal,

and within this point, at the north-east part of the harbour, was a careening wharf secure from all winds, and a magazine of naval stores. 1744.

The town was regularly laid out in squares. The streets were broad; the houses mostly of wood, but some of stone. On the west side, near the rampart, was a spacious citadel, and a large parade; on one side of which were the Governor's apartments. Under the rampart were casemates to receive the women and children during a siege. The entrance of the town on the land side was at the west gate, over a draw bridge, near to which was a circular battery, mounting sixteen guns of twenty-four pounds shot.

These works had been twenty-five years in building; and though not finished, had cost the Crown not less than thirty millions of livres. The place was so strong as to be called 'the Dunkirk of America.' It was, in peace, a safe retreat for the ships of France bound homeward from the East and West-Indies; and in war, a source of distress to the northern English Colonies; its situation being extremely favorable for privateers to ruin their fishery and interrupt their coasting and foreign trade; for which reasons, the reduction of it was an

1744. object as desirable to them, as that of Carthage was to the Romans.

Nov. 10.  
Shirley's  
letters to  
Went-  
worth. MS.

In the autumn, Shirley wrote to the British ministry, representing the danger of an attack on Nova-Scotia, from the French, in the ensuing spring; and praying for some naval assistance. These letters he sent by Capt. Ryal, an officer of the garrison, which had been taken at Canseau, who, 'from his particular knowledge of Louisbourg, and of the great consequence of the acquisition of Cape Breton, and the preservation of Nova-Scotia, he hoped would be of considerable service to the northern Colonies, with the Lords of the admiralty.' Thus early did Shirley conceive and communicate to Wentworth his great design; and the most prudent step which he took in this whole affair was to solicit help from England. His petition, supported by that worthy officer, was so favorably received by the ministry, that as early as the beginning of January, orders were dispatched to Commodore Warren, then in the West-Indies, to proceed to the northward in the spring, and employ such a force as might be sufficient to protect the northern Colonies in their trade and fishery, and distress the enemy; and for this purpose to consult with

MS copy  
of D. New-  
castle's let-  
ter, Jan. 2.

with Governor Shirley. Orders of the same date were written to Shirley, inclosed to Warren, directing him to assist the King's ships with transports, men and provisions. These orders, though extremely favorable to the design, were totally unknown in New-England, till the middle of April following, before which time the expedition was completely formed.

1744.

It has been said, that a plan of this famous enterprise, was first suggested by William Vaughan, a son of Lieutenant Governor Vaughan of New-Hampshire. Several other persons have claimed the like merit. How far each one's information or advice, contributed toward forming the design, cannot now be determined. Vaughan was largely concerned in the fishery on the eastern coast of Massachusetts. He was a man of good understanding, but of a daring, enterprising and tenacious mind, and one who thought of no obstacles to the accomplishment of his views. An instance of his temerity is still remembered. He had equipped, at Portsmouth, a number of boats to carry on his fishery at Montinicus. On the day appointed for sailing, in the month of March, though the wind was so boisterous that experien-

Douglas,  
Bollan,  
Hutchinson.

1744. ced mariners deemed it impossible for such vessels to carry sail, he went on board one, and ordered the others to follow. One was lost at the mouth of the river, the rest arrived with much difficulty, but in a short time, at the place of their destination. Vaughan had not been at Louisbourg; but had learned from fishermen and others, something of the strength and situation of the place; and nothing being in his view impracticable, which he had a mind to accomplish, he conceived a design to take the city by surprise; and even proposed going over the walls in the winter on the drifts of snow. This idea of a surprisal forcibly struck the mind of Shirley, and prevailed with him to hasten his preparations, before he could have any answer or orders from England.

1745. In the beginning of January he requested of the members of the General Court, that they would lay themselves under an oath of secrecy, to receive a proposal from him, of very great importance. This was the first request of the kind which had ever been made to a legislative body in the Colonies. They readily took the oath, and he communicated to them the plan which he had formed of attacking Louisbourg. The secret was kept for some days; till


an honest member, who performed 1745.  
 the family devotion at his lodgings, inadvertently discovered it by praying for a blessing on the attempt. At the first deliberation, the proposal was rejected; but by the address of the Governor and the invincible perseverance of Vaughan, a petition from the merchants concerned in the fishery, was brought into Court, which revived the affair; and it was finally carried in the affirmative by a majority of *one* voice, in the absence of several members who were known to be against it. Circular letters were immediately dispatched to all the Colonies, as far as Pennsylvania, requesting their assistance, and an embargo on their ports.

Jan. 26.

With one of these letters, Vaughan rode Feb. 1.  
 express to Portsmouth, where the Assembly was sitting. Governor Wentworth immediately laid the matter before them, and proposed a conference of the two Houses to be held on the next day. The House of Representatives having caught the enthusiasm of Vaughan, were impatient of delay, and desired that it might be held immediately. It was accordingly held, and the Committee reported in favor of the expedition; estimated the expense at four thousand pounds, and desired

Feb. 2.  
Printed  
Journal of  
this session.



1745.  ed the Governor to issue a proclamation for inlisting two hundred and fifty men, at twenty-five shillings per month, one month's pay to be advanced; they also recommended that military stores and transports should be provided, and that such preparations should be made as that the whole might be ready by the beginning of March. All this was instantly agreed to, on condition that proper methods could be found to pay the charges. This could be done in no other way than by a new emission of bills of credit, contrary to the letter of royal instructions. But, by the help of Shirley, a way was found to surmount this difficulty; for on the same day, he wrote to Wentworth, informing him that he had, in answer to repeated solicitations, obtained a relaxation of his instructions relative to bills of credit, so far, as to have leave to consent to such emissions as the exigencies of war might require; and advising him, that considering the occasion, it was probable, his consenting to an emission would rather be approved than censured by his superiors. The next day, he wrote again, assuring him that he might safely do it, provided that the sum to be emitted, were solely appropriated to the service of the expedition.

PrivateMS  
letters of  
Shirley.

Feb. 3.

expedition. He also sent him a copy of the instruction, enjoining him to let no person know that he had sent it. Shirley himself had consented to an emission of fifty thousand pounds, to be drawn in by tax in the years 1747 and 1748. 1745.  
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The House of Representatives passed a vote for an emission of ten thousand pounds toward defraying the charge of the expedition and farther carrying on the war, and the support of government; to be drawn in by taxes in ten annual payments, to begin in 1755. The Council objected and said, that the grant should be wholly appropriated to the expedition and the payments should begin in 1751. The House adhered to their vote. The Governor interposed, and an altercation took place, which continued several days. The Governor adjourned the Assembly till he could again ask Shirley's advice and receive his answer. At length the House altered their vote, and appointed the year 1751 for drawing in the money; augmenting the sum to thirteen thousand pounds, and at the Governor's express desire, they publicly assured him that they 'could not find out any other way to carry on the expedition, or in any degree shorten the period for bringing in the money.' This was

1745. was done to serve as an apology for the Governor's consenting to the bill, notwithstanding he had no liberty to recede from his instructions ; and thus, the matter being compromised, he gave his consent.

Feb. 13.

During this tedious interval, a report was spread, that the House had refused to raise men and money for the expedition; and the author of the report was fought out and called to account by the House for his misbehaviour. The next day they altered their terms of enlistment, conformably to those offered in Massachusetts, and by the 17th of February, two hundred and fifty men were enlisted for the service.

Feb. 17.

The person appointed to command the expedition was WILLIAM PEPPERRELL, Esq. of Kittery, Colonel of a regiment of militia; a merchant of unblemished reputation and engaging manners, extensively known both in Massachusetts and New-Hampshire, and very popular. These qualities were absolutely necessary in the Commander of an army of volunteers, his own countrymen, who were to quit their domestic connexions and employments, and engage in a hazardous enterprise, which none of them, from the highest to the

the lowest, knew how to conduct. Professional skill and experience were entirely out of the question; had these qualities been necessary, the expedition must have been laid aside; for there was no person in New-England, in these respects qualified for the command. Fidelity, resolution and popularity must supply the place of military talents; and Pepperrell was possessed of these. It was necessary that the men should know and love their General, or they would not insist under him.*

1745.

After this appointment was made, and while it was uncertain whether the Assembly of New-Hampshire would agree with the Governor in raising money for the expedition, Shirley proposed to Wentworth, the raising of men in New-Hampshire, to be in the pay of Massachusetts, and in the letter which he wrote on that occasion paid him the following compliment. 'It would have been an infinite satisfaction to me, and done great honor to the

Shirley's
private letters. MS.

* The following private note was sent from Boston to Pepperrell, whilst at Louisbourg, and found among his papers.

'You was made General, being a popular man, most likely to raise soldiers soonest. The expedition was calculated to ESTABLISH Sh—, and make his creature W. Governor of Cape-Breton, which is to be a place of refuge to him from his creditors. Beware of snakes in the grass, and mark their hissing.'

1745. ' the expedition, if your limbs would have
 ' permitted you to take the chief command.'
 Wentworth was charmed with the idea, and forgetting his gout, made an offer of his personal service ; but not till after the Assembly had agreed to his terms and the money bill was passed. Shirley was then obliged to answer him thus. ' Upon communicating your offer to two or three gentlemen, in whose prudence and judgment I most confide, I found them clearly of opinion, that any alteration of the present command would be attended with great risque, both with respect to the Assembly and the soldiers being entirely disgusted.'

White-
 field's letters, No.
 572.

Before Pepperrell accepted the command, he asked the opinion of the famous George Whitefield, who was then itinerating and preaching in New-England. Whitefield told him, that he did not think the scheme very promising ; that the eyes of all would be on him ; that if it should not succeed, the widows and orphans of the slain would reproach him ; and if it should succeed, many would regard him with envy, and endeavor to eclipse his glory ; that he ought therefore to go with ' a single eye,' and then he
 would

ould find his strength proportioned to is necessity. Henry Sherburne, the Com-
missary of New-Hampshire, another of
Whitefield's friends, pressed him to favor
the expedition and give a motto for the
tag; to which, after some hesitation, he
consented. The motto was, '*Nil despe-
randum Christo duce.*' This gave the ex-
pedition the air of a crusade, and many of
his followers insisted. One of them, a
chaplain, carried on his shoulder a hatch-
et; with which he intended to destroy the
images in the French churches.

There are certain latent sparks in hu-
man nature, which, by a collision of caus-
es, are sometimes brought to light; and
when once excited, their operations are
not easily controlled. In undertaking any
thing hazardous, there is a necessity for
extraordinary vigor of mind, and a degree
of confidence and fortitude, which shall
raise us above the dread of danger, and
impel us to run a risk which the cold
maxims of prudence would forbid. The
people of New-England have at various
times shewn such an enthusiastic ardor,
which has been excited by the example of
their ancestors and their own exposed situ-
ation. It was never more apparent, and
perhaps never more necessary, than on oc-
casion

1745. casion of this expedition. Nor ought it to be forgotten, that several circumstances, which did not depend on human foresight, greatly favored this undertaking.

The winters in this country are often severe; but the winter in which this expedition was planned, and particularly the month of February, was very mild. The harbours and rivers were open, and the weather was in general so pleasant, that every kind of labor could be done abroad. The fruitfulness of the preceding season had made provisions plenty. The Indians had not yet molested the frontiers; and though some of them had heard that an expedition against Cape Breton was in hand, and carried the news of it to Canada, such an attempt was so improbable, that the French gave no credit to the report, and those in Nova-Scotia did not receive the least intelligence of the preparations. Douglass observes, that 'some guardian angel preserved the troops from taking the small pox,' which appeared in Boston about the time of their embarkation, and was actually imported in one of the ships which was taken into the service. A concurrence of happy incidents brought together every British ship of war from the ports of the American

ican continent and islands, till they made a formidable naval force, consisting of four ships of the line and six frigates, under the command of an active, judicious and experienced officer. On the other hand, the garrison of Louisbourg was discontented and mutinous; they were in want of provisions and stores; they had no knowledge of the design formed against them; their shores were so environed with ice, that no supplies could arrive early from France, and those which came afterward, were intercepted and taken by our cruisers. In short, 'if any one circumstance had taken a wrong turn on our side, and 'if any one circumstance had not taken a wrong turn on the French side, the expedition must have miscarried.'

1745.

Douglass I,
336.

In the undertaking and prosecuting of an enterprise so novel to the people of New-England, it is amusing to see how many projects were invented; what a variety of advice was given from all quarters, and what romantic expectations were formed by advisers and adventurers. During the enlistment, one of the officers was heard to say with great sobriety, that he intended to carry with him three shirts, one of which should be ruffled, because he expected that the General would give him
him

1745. him the command of the city, when it should be taken. An ingenious and benevolent clergyman, presented to the General a plan for the incampment of the army, the opening of trenches and the placing of batteries before the city. To prevent danger to the troops from subterraneous mines, he proposed, that two confidential persons, attended by a guard, should, during the night, approach the walls; that one should with a beetle strike the ground, while the other should lay his ear to it, and observe whether the sound was hollow, and that a mark should be set on all places suspected. Another gentleman, of equal ingenuity, sent the General a model of a flying bridge, to be used in scaling the walls of Louisbourg. It was so light, that twenty men could carry it on their shoulders to the wall, and raise it in one minute. The apparatus for raising it consisted of four blocks, and two hundred fathoms of rope. It was to be floored with boards, wide enough for eight men to march abreast; and to prevent danger from the enemy's fire, it might be covered with raw hides. This bridge, it was said, might be erected against any part of the wall, even where no breach had been

Private
MS letters.

een made; and it was supposed that
thousand men might pass over it in four
minutes. 1745.

But the most extraordinary project of
all, was Shirley's scheme for taking the
city by surprise, in the first night after the
arrival of the troops, and before any Brit-
ish naval force could possibly come to their
assistance. It is thus delineated in a con-
fidential letter which he wrote to Went-
worth, when he urged him to send the
New-Hampshire troops to Boston, to pro-
ceed thence with the fleet of transports.
The success of our scheme for surprising
Louisbourg will entirely depend on the
execution of the first night, after the ar-
rival of our forces. For this purpose it
is necessary, that the whole fleet should
make Chapeau-rouge point just at the
shutting in of the day, when they can-
not easily be discovered, and from thence
push into the bay, so as to have all the
men landed before midnight; (the land-
ing of whom, it is computed by Capt.
Durell and Mr. Bastide, will take up
three hours at least.) After which, the
forming of the four several corps, to be
employed in attempting to scale the walls
of Louisbourg, near the east gate, front-
ing the sea, and the west gate, fronting

March 2.

1745. ' the harbour ; to cover the retreat of the
' two beforementioned parties in case of
' a repulse ; and, to attack the grand bat-
' tery ; (which attack must be made at
' the same time with the two other at-
' tacks) will take up two hours more at
' least. After these four bodies are form-
' ed, their march to their respective posts
' from whence they are to make their at-
' tacks and serve as a cover to the retreat,
' will take up another two hours ; which,
' supposing the transports to arrive in Chap-
' peau-rouge bay at nine o'clock in the
' evening, and not before, as it will be
' necessary for them to do, in order to
' land and march under cover of the night,
' will bring them to four in the morning,
' being day break, before they begin the
' attack, which will be full late for them
' to begin. Your Excellency will from
' hence perceive how critical an affair, the
' time of the fleet's arrival in Chappeau-
' rouge bay is, and how necessary it is to
' the success of our principal scheme, that
' the fleet should arrive there, in a body, at
' that precise hour.'

It is easy to perceive that this plan was contrived by a person totally unskilled in the arts of navigation and of war. The coast of Cape-Breton was dangerous and inhospitable,

unhospitable, the season of the year rough and tempestuous, and the air a continual fog; yet, a fleet of an hundred vessels, after sailing nearly two hundred leagues for by this plan they were not to stop; must make a certain point of land 'at a precise hour,' and enter an unknown bay, in an evening. The troops were to land in the dark, amidst a violent surf, on a rocky shore; to march through a thicket and bog three miles, to the city, and some of them a mile beyond it to the royal battery. Men who had never been in action, were to perform services, which the most experienced veteran would think of with dread; to pull down pickets with grappling irons, and scale the walls of a regular fortification, with ladders, which were afterward found to be too short by ten feet; all in the space of twelve hours from their first making the land, and nine hours from their debarkation. This part of the plan was prudently concealed from the troops.

The forces which New-Hampshire furnished for this expedition, were three hundred and fifty men, including the crew of an armed sloop which convoyed the transports and served as a cruiser. They were formed into a regiment, consisting

1745. of eight companies, and were under the command of Col. Samuel Moore. The sloop was commanded by Capt. John Fernald; her crew consisted of thirty men. The regiment, sloop and transports, were, by Governor Wentworth's written instructions to the General, put under his command. Besides these, a body of one hundred and fifty men was enlisted in New-Hampshire and aggregated to the regiment in the pay of Massachusetts. Thus New-Hampshire employed five hundred men; about one eighth part of the whole land force.* In these men, there was such an ardor for action, and such a dread of delay, that it was impracticable to put them so far out of their course, as to join the fleet at Boston. Shirley therefore altered the plan, and appointed a rendezvous at Canseau; where the forces of New-Hampshire arrived, two days before the General and his other troops from Boston.

Wentworth's letters, MS.

March 31.

The

* In the introductory part of Dr. Ramsay's elegant history of the American Revolution (page 34) it is said, that 'this enterprise was undertaken by the sole authority of the Legislature of Massachusetts.' This is not sufficiently accurate. It originated in Massachusetts; but the Colonies of New-Hampshire, Rhode-Island and Connecticut, by their legislative authority, furnished troops and stores. New-York sent a supply of artillery, and Pennsylvania of provisions; but the troops from Rhode-Island, and the provisions from Pennsylvania, did not arrive till after the surrender of the city.

1745.

The instructions which Pepperell received from Shirley, were conformed to the plan which he had communicated to Wentworth, but much more particular and circumstantial. He was ordered to proceed to Canseau, there to build a block-house and battery, and leave two companies in garrison, and to deposit the stores which might not immediately be wanted by the army. Thence he was to send a detachment to the village of St. Peters, on the island of Cape-Breton and destroy it; to *prevent* any intelligence which might be carried to Louisbourg; for which purpose also, the armed vessels were to cruise before the harbour. The whole fleet was to sail from Canseau, so as to arrive in Chapeau-rouge bay about nine o'clock in the evening. The troops were to land in four divisions, and proceed to the assault before morning. If the plan for the surprisal should fail, he had particular directions where and how to land, march, encamp, attack and defend; to hold councils and keep records; and to send intelligence to Boston by certain vessels retained for the purpose, which vessels were to stop at Castle William, and there receive the Governor's orders. Several other vessels were appointed to cruise between Can-

Original
instructions, in
MS.

1745. *seau* and the camp, to convey orders, transport stores, and *catch fish* for the army. To close these instructions, after the most minute detail of duty, the General was finally 'left to act upon unforeseen emergencies according to his discretion;' which, in the opinion of military gentlemen, is accounted the most rational part of the whole. Such was the plan, for the reduction of a regularly constructed fortress, drawn by a lawyer, to be executed by a merchant, at the head of a body of husbandmen and mechanics; animated indeed by ardent patriotism, but destitute of professional skill and experience. After they had embarked, the hearts of many began to fail. Some repented that they had voted for the expedition, or promoted it; and the most thoughtful were in the greatest perplexity.

Prince's
thanksgiving
sermon,
page 25.

Pepperell's
letters to
Shirley,

The troops were detained at Canseau, three weeks, waiting for the ice which environed the island of Cape-Breton, to be dissolved. They were all this time within view of St. Peters, but were not discovered. Their provisions became short; but they were supplied by prizes taken by the cruisers. Among others, the New-Hampshire sloop took a ship from Martinico, and retook one of the transports, which

which she had taken the day before. At length, to their great joy, Commodore Warren, in the *Superbe*, of sixty guns, with three other ships of forty guns each, arrived at Canseau, and having held a consultation with the General, proceeded to cruise before Louisbourg. The General having sent the New-Hampshire sloop, to cover a detachment which destroyed the village of St. Peters, and scattered the inhabitants, sailed with the whole fleet; but instead of making Chapeau-rouge point in the evening, the wind falling short, they made it at the dawn of the next morning; and their appearance in the bay, gave the first notice to the French, of a design formed against them.

1745.

April 23.

April 29.

The intended surprisal being thus happily frustrated, the next thing after landing the troops was to invest the city. Vaughan, the adventurer from New-Hampshire, had the rank and pay of a Lieutenant Colonel, but refused to have a regular command. He was appointed one of the Council of War, and was ready for any service which the General might think suited to his genius. He conducted the first column through the woods, within sight of the city, and saluted it with

1745. three cheers. He headed a detachment, consisting chiefly of the New-Hampshire troops, and marched to the north-east part of the harbour, in the night; where

May 1,

they burned the ware-houses, containing the naval stores, and staved a large quantity of wine and brandy. The smoke of this fire being driven by the wind into the grand battery, so terrified the French, that they abandoned it and retired to the city, after having spiked the guns and cut the halliards of the flag-staff. The next

May 2.

morning as Vaughan was returning, with thirteen men only, he crept up the hill which overlooked the battery, and observed, that the chimnies of the barrack were without smoke, and the staff without a flag. With a bottle of brandy, which he had in his pocket, (though he never drank spirituous liquors) he hired one of his party, a Cape Cod Indian, to crawl in at an embrasure and open the gate. He then

Original
MS.

wrote to the General, these words, ' May
' it please your honor, to be informed,
' that by the grace of God, and the courage of thirteen men, I entered the royal
' battery, about nine o'clock, and am waiting for a reinforcement, and a flag.' Before either could arrive, one of the men climbed up the staff, with a red coat in his

his teeth, which he fastened by a nail to the top. This piece of triumphant vanity alarmed the city, and immediately an hundred men were dispatched in boats to retake the battery. But Vaughan, with his small party, on the naked beach, and in the face of a smart fire from the city and the boats, kept them from landing, till the reinforcement arrived. In every duty of fatigue or sanguine adventure, he was always ready; and the New-Hampshire troops, animated by the same enthusiastic ardor, partook of all the labors and dangers of the siege. They were employed for fourteen nights successively, in drawing cannon from the landing place to the camp, through a morass; and their Lieutenant Colonel Messervè, being a ship carpenter, constructed sledges, on which the cannon were drawn, when it was found that their wheels were buried in the mire. The men, with straps over their shoulders, and sinking to their knees in mud, performed labor beyond the power of oxen; which labor could be done only in the night or in a foggy day; the place being within plain view and random shot of the enemy's walls. They were much disappointed and chagrined, when they found that these meritorious services were not
more

1745. more distinctly acknowledged in the accounts which were sent to England, and afterwards published.

Wentworth's letters MS.

May 26.

In the unfortunate attempt on the island battery by four hundred volunteers from different regiments, the New-Hampshire troops were very active. When it was determined to erect a battery on the lighthouse cliff; two companies of them (Mafon's and Fernald's) were employed in that laborious service, under cover of their armed sloop; and when a proposal was made for a general assault by sea and land, Colonel Moore, who had been an experienced sea commander, offered to go on board the Vigilant, with his whole regiment, and lead the attack, if in case of success he might be confirmed in the command of the ship; but when this was denied, most of the men who were fit for duty, readily went on board the Princess Mary, to act as marines on that occasion.

Douglass I, 352.

It has been said, that 'this siege was carried on in a tumultuary, random manner, resembling a Cambridge commencement.' The remark is in a great measure true. Though the business of the Council of War was conducted with all the formality of a legislative assembly; though orders were issued by the General, and returns made by the officers at the several

several posts ; yet the want of discipline was too visible in the camp. Those who were on the spot, have frequently in my hearing, laughed at the recital of their own irregularities, and expressed their admiration when they reflected on the almost miraculous preservation of the army from destruction. They indeed presented a formidable front to the enemy ; but the rear was a scene of confusion and frolic. While some were on duty at the trenches, others were racing, wrestling, pitching quoits, firing at marks or at birds, or running after shot from the enemy's guns, for which they received a bounty, and the shot were sent back to the city. The ground was so uneven and the people so scattered, that the French could form no estimate of their numbers ; nor could they learn it from the prisoners, taken at the island battery, who on their examination, as if by previous agreement, represented the number to be vastly greater than it was. The garrison of Louisbourg had been so mutinous before the siege, that the officers could not trust the men to make a sortie, lest they should desert ; had they been united and acted with vigor, the camp might have been surprised and many of the people destroyed.

Much

1745.

Much has been ascribed, and much is justly due to the activity and vigilance of Commodore Warren, and the ships under his command; much is also due to the vigor and perseverance of the land forces, and the success was doubtless owing, under God, to the joint efforts of both. Something of policy, as well as bravery, is generally necessary in such undertakings; and there was one piece of management, which, though not mentioned by any historian, yet greatly contributed to the surrender of the city.

May 19.

The capture of the *Vigilant*, a French sixty-four gun ship, commanded by the Marquis de la Maison forte, and richly laden with military stores for the relief of the garrison, was one of the most capital exploits performed by the navy. This ship had been anxiously expected by the French; and it was thought that the news of her capture, if properly communicated to them, might produce a good effect; but how to do it was the question. At length, the Commodore hit on this expedient, which he proposed to the General, who approved, and put it into execution. In a skirmish on the island, with a party of French and Indians, some English prisoners had been taken by them, and used with

June. 1.
MS letters
of Warren
and Pepperell.

with cruelty. This circumstance was made known to the Marquis, and he was requested to go on board of all the ships in the bay where French prisoners were confined, and observe the condition in which they were kept. He did so, and was well satisfied with their fare and accommodations. He was then desired to write to the Governor of the city, and inform him how well the French prisoners were treated, and to request the like favor for the English prisoners. The humane Marquis readily consented, and the letter was sent the next day by a flag, intrusted to the care of a Capt. Macdonald. He was carried before the Governor and his chief officers; and by pretending not to understand their language, he had the advantage of listening to their discourse; by which he found, that they had not before heard of the capture of the Vigilant, and that the news of it, under the hand of her late commander, threw them into a visible perturbation. This event, with the erection of a battery on the high cliff at the light house, under the direction of Lieutenant Colonel Gridley, by which the island battery was much annoyed, and the preparations which were evidently making for a general assault, determined Duchambon

1745.

June 7.

1745. bon to surrender; and accordingly, in a few days he capitulated.

June 15 to 17.

Upon entering the fortress and viewing its strength, and the plenty and variety of its means of defence, the stoutest hearts were appalled, and the impracticability of carrying it by assault, was fully demonstrated.

Pepperell's letters, MS


No sooner was the city taken, and the army under shelter, than the weather, which, during the siege, excepting eight or nine days after the first landing, had been remarkably dry for that climate, changed for the worse; and, an incessant rain of ten days succeeded. Had this happened before the surrender, the troops who had then begun to be sickly, and had none but very thin tents, must have perished in great numbers. Reinforcements of men, stores and provisions arrived,* and it was determined in a Council of War to maintain the place and repair the breaches. A total demolition might have been more advantageous to the nation; but in that case, individuals would not have enjoyed the profit of drawing bills on the navy and ordnance

* Of the reinforcements, New-Hampshire sent 115 men. The loss which the New-Hampshire troops suffered was but eleven, of whom five were killed and six died of sickness. This was before the surrender. More died afterward in garrison.

Shirley's letter to Wentworth, from Louisbourg, Sept. 2.

ordnance establishments. The French 1745. flag was kept flying on the ramparts; and several rich prizes were decoyed into the harbour. The army supposed that they had a right to a share of these prizes; but means were found to suppress or evade their claim; nor did any of the Colony cruisers (except one) though they were retained in the service, under the direction of the Commodore, reap any benefit from the captures.

The news of this important victory filled America with joy, and Europe with astonishment. The enterprising spirit of New-England gave a serious alarm to those jealous fears, which had long predicted the independence of the Colonies. Great pains were taken in England to ascribe all the glory to the navy, and lessen the merit of the army. However, Pepperell received the title of a Baronet, as well as Warren. The latter was promoted to be an Admiral; the former had a commission as Colonel in the British establishment, and was empowered to raise a regiment in America, to be in the pay of the Crown. The same emolument was given to Shirley, and both he and Wentworth acquired so much reputation as to be confirmed in their places. Vaughan went to England

1745.  England to seek a reward for his services, and there died of the small-pox. Solicitations were set on foot for a parliamentary reimbursement, which, after much difficulty and delay, was obtained; and the Colonies who had expended their substance were in credit at the British Treasury.* The justice and policy of this measure must appear to every one, who considers, that excepting the suppression of a rebellion within the bowels of the kingdom, this conquest was the only action which could be called a victory, on the part of the British nation, during the whole French war, and afforded them the means of purchasing a peace.

Bollan's
MS letters.

* The reimbursement to New-Hampshire was sixteen thousand, three hundred and fifty-five pounds sterling.

Thomlinson's MS. letters.

C H A P. XX.

Projected Expedition to Canada. Alarm by the French fleet. State of the Frontiers. Peace.

WHILST the expedition to Cape-Breton was in hand, the active mind of Governor Shirley contemplated nothing less than the conquest of all the French dominions in America; and he consulted with Governor Wentworth and Mr. Atkinson on the practicability of such a design. After Louisbourg was taken, he made a visit thither, and held a consultation with Sir Peter Warren and Sir William Pepperell; and from that place wrote pressingly to the British ministry on the subject. His solicitation, enforced by the brilliant success at Louisbourg, and the apparent danger in which Nova-Scotia and the new conquest were involved, had such an effect, that in the spring of the following year, a circular letter was sent from the Duke of Newcastle, Secretary of State, to all the Governors of the American Colonies, as far southward as Virginia; requiring them to raise as many men

Shirley's
MS letters.

1746.

April 6.

P

as

1746. as they could spare, and form them into
Douglas I,
315. companies of one hundred; to be ready
 to unite, and act according to the orders
 which they should afterwards receive. The
 plan was, that a squadron of ships of war,
 and a body of land forces, should be sent
 from England against Canada; that the
 troops raised in New-England should join
 the British fleet and army at Louisbourg,
 and proceed up the river St. Lawrence;
 that those of New-York and the other
 Provinces at the southward, should be
 collected at Albany, and march against
 Crown Point and Montreal. The man-
 agement of this expedition was committed
 to Sir John St. Clair, in conjunction with
 Sir Peter Warren and Governor Shirley.
 St. Clair did not come to America. War-
 ren and Shirley gave the orders, while
 Warren was here; and afterward Com-
 modore Knowles, who succeeded him, was
 joined with Shirley; but as Knowles was
 part of the time at Louisbourg, most of
 the concern devolved on Shirley alone.

Beside the danger of losing Nova-Sco-
 tia and Cape-Breton, there were other rea-
 sons for undertaking this expedition. The
 Indians, instigated by the Governor of
 Canada, were ravaging the frontiers, des-
 troying the fields and cattle, burning
 houses

Shirley's
speech.
June 28.

houses and mills, killing and carrying away the inhabitants. Though scouts and garrisons were maintained by the governments ; yet to act altogether on the defensive, was thought to be not only an ineffectual, but a disgraceful mode of carrying on the war ; especially after the success which had attended the arms of the Colonists in their attempt against Louisbourg. The continuance of such a mode of defence, would neither dispirit the enemy, nor secure the frontiers from their depredations.

The design was pleasing, and the Colonies readily furnished their quotas of men. In New-Hampshire, the same difficulty occurred as on occasion of the Louisbourg expedition. The Governor had no authority to consent to the emission of bills of credit, but Shirley removed that obstacle, by suggesting to him, that as the ministry did not disapprove what he had done before, so there was no reason to fear it now ; and that the importance of the service, and the necessity of the case, would justify his conduct. The demand at first, was for levy money and victualing. The arms and pay of the troops were to be furnished by the Crown ; but it was afterward found necessary that the several

Shirley's
MS letters,
May 31.

1746. ral governments should provide clothing, transports and stores, and depend on a reimburiement from the British Parliament.

June. The Assembly was immediately convened, and voted an encouragement for enlisting a thousand men, or more, if they could be raised; with a bounty of thirty pounds currency, and a blanket, to each man, besides keeping two armed vessels in pay. Col. Atkinson was appointed to the command of the troops. Eight hundred men were enlisted and ready for embarkation by the beginning of July. Transports and provisions were prepared, and the men waited, impatiently, all summer for employment. Neither the General nor any orders arrived from England; the fleet, which was said to be destined for the expedition, sailed seven times from Spithead, and as often returned. Two regiments, only, were sent from Gibraltar, to Louisbourg, to relieve the New-England men, who had garrisoned it since the conquest. It is much easier to write the history of an active campaign, than to trace the causes of inaction and disappointment; and it is in vain to supply the place of facts by conjecture.* In

Atkinson's
MS. letter.

* 'The last war was ruinous in the expense, and unsuccessful in the end, for want of consideration, and a reasonable plan at the beginning.'

Doddington's Diary. May 27, 1755. Page 330

In this time of suspense, Sir Peter Warren, and Sir William Pepperell, having arrived at Boston, from Louisbourg, Shirley had an opportunity of consulting them, and such other gentlemen as he thought proper, on the affair of the Canada expedition. The season was so far advanced, that a fleet could hardly be expected from England; or if it should arrive, it would be too late to attempt the navigation of the river St. Lawrence. But, as a sufficient body of the troops might be assembled at Albany, it was judged prudent to employ them in an attempt against the French fort at Crown Point. At the same time, Clinton, Governor of New-York, solicited and obtained the friendly assistance of the Six Nations of Indians, on the borders of his Province. It was thought, that if this attempt should be made, the alliance with these Indians would be strengthened and secured; and the frontiers would be relieved from the horrors of desolation and captivity, to which they were continually exposed. In pursuance of this plan, the forces of New-Hampshire were ordered to hold themselves in readiness, to march to Albany; but, it being discovered that the small-pox

1746.

Shirley's
& Warren's
MS letters,
August 25.

MS letter
of Secretary
Willard.
Sept. 1.

1746. was there, the rendezvous was appointed at Saratoga and the adjacent villages.

Shirley's
& Warren's
MS letters,
Sept. 12.

Sept. 20.

No sooner was this plan resolved on, and preparations made to carry it into execution, than accounts were received of danger which threatened Annapolis, from a body of French and Indians at Minas, and the probable revolt of the Acadians. It was thought that Nova-Scotia would be lost, if some powerful succour were not sent thither. Orders were accordingly issued, for the troops of Massachusetts, Rhode-Island and New-Hampshire, to embark for that place, and 'drive the enemy out of Nova-Scotia.' But, within a few days more, the whole country was alarmed, and thrown into the utmost consternation, by reports of the arrival of a large fleet and army from France, at Nova-Scotia, under the command of the Duke D'Anville. It was supposed that their object was to recover Louisbourg; to take Annapolis; to break up the settlements on the eastern coast of Massachusetts; and to distress, if not attempt the conquest of the whole country of New-England. On this occasion, the troops destined for Canada found sufficient employment at home, and the militia was collected to join them; the old forts on the

the sea coast were repaired, and new ones were erected. A new battery, consisting of sixteen guns, of thirty-two and twenty-four pounds shot, was added to fort William and Mary, at the entrance of Pascataqua harbour; and another, of nine thirty-two pounders, was placed at the point of Little Harbour. These works were supposed to be sufficient to prevent a surprisal. Military guards were appointed; and in this state of fear and anxiety, the people were kept for six weeks, when some prisoners, who had been released by the French, brought the most affecting accounts of the distress and confusion on board the fleet. It was expected, by the people in New-England, that an English fleet would have followed them to America. This expectation was grounded on some letters from England, which Shirley had received and which he forwarded by express to Admiral Townshend, at Louisbourg. The letters were intercepted by a French cruiser, and carried into Chebucto, where the fleet lay. They were opened in a Council of War, and caused a division among the officers; which, added to the sickly condition of the men, and the damage which the fleet had sustained by storms, and their loss by shipwrecks, dejected their commander to

1746.

Oa. 25.

1746. that degree, that he put an end to his life by poison; and the second in command fell on his sword. These melancholy events, disconcerted their first plan. They then resolved to make an attempt on Annapolis; but when they had sailed from Chebuſto, they were overtaken by a violent tempest, off Cape Sable; and those ships which escaped destruction, returned singly to France. Never was the hand of divine Providence more visible, than on this occasion. Never was a disappointment more severe, on the side of the enemy; nor a deliverance more complete, without human help, in favor of this country.

Nova-Scotia was not yet out of danger. The French and Indians, who, during the stay of the fleet at Chebuſto, had appeared before Annapolis, but on their departure retired, were still in the peninsula; and it was thought necessary to dislodge them. For this purpose Shirley sent a body of the Massachusetts forces, and pressed the Governors of Rhode-Island and New-Hampshire to send part of theirs. Those from Rhode-Island, and one transport from Boston, were wrecked on the passage. The armed vessels of New-Hampshire, with two hundred men, went

went to Annapolis; but the commander
 of one of them, instead of landing his men,
 sailed across the bay of Funda, into St.
 John's river; where, meeting with a
 French snow, and mistaking her for one
 of the Rhode-Island transports, he impru-
 dently sent his boat with eight men on
 board, who were made prisoners, and the
 snow escaped. The sloop, instead of re-
 turning to Annapolis, came back to Port-
 smouth. These misfortunes and disap-
 pointments had very serious ill consequen-
 ces. The Massachusetts forces, who were
 at Nova-Scotia, being inferior in number
 to the French, and deceived by false intel-
 ligence, were surprised in the midst of a
 snow storm, at Minas; and after an ob-
 stinate resistance, were obliged to capitulate.
 Their commander, Col. Arthur
 Noble, and about sixty men, were killed,
 and fifty were wounded. The enemy be-
 ing provided with snow shoes, made forc-
 marches; and ours being destitute of
 them were unable to escape.

When the alarm occasioned by the
 French fleet had subsided, Atkinson's regi-
 ment marched into the country to cover
 the lower part of the frontiers, and en-
 camped near the shore of Winipiseogee
 lake; where they passed the winter and
 built

1746.

Dec. 13.
 Shirley's
 MS letters,
 & affidavits
 of the crew.

1747.

Jan. 31.

Boston
 Evening
 Post.

HISTORY OF

7. built a slight fort. They were plentifully supplied with provisions, and had but little exercise or discipline. Courts martial were not instituted, nor offences punished. The officers and men were tired of the service ; but were not permitted to enter on any other business, lest orders should arrive from England. Some were employed in scouting ; some in hunting or fishing, and some deserted.

Shirley was so intent on attacking Crown Point that he even proposed to march thither in the winter, and had the address to draw the Assembly of Massachusetts into an approbation of this project. He enlarged his plan, by proposing that the New-Hampshire troops should at the same time go, by the way of Connecticut river, to the Indian village of St. Francis, at the distance of two hundred miles, and destroy it ; while the troops from Massachusetts, Connecticut and New-York, should go by the way of the Lakes to Crown Point. The Governor of New-York would have consented to this wild projection, on account of the Indian allies, who were impatient for war ; but it was happily frustrated, by the prudence of the Connecticut Assembly ; who deemed the winter an improper season for so great an undertaking,

undertaking, and deferred their assistance till the ensuing spring. At the same time the small pox prevailed in the settlements above Albany, through which the forces must have marched; and that distemper was then an object of much greater dread, than the storms of winter, or the face of an enemy. 1747.

To finish what relates to the Canada forces, it can only be said, that excepting some who were employed on the frontiers, they were kept in a state of military indolence, till the autumn of the ensuing year; when by order from the Duke of Newcastle they were disbanded, and paid at the same rate as the King's troops. The Governors drew bills on the British treasury; which were negotiated among the merchants at seven and eight hundred per cent. and the Parliament granted money, to reimburse the charges of the equipment and subsistence of these forces. October, 1747.

Shirley's
MS letters.

The state of the frontiers now demands our attention. By the extension of the boundaries of the Province, several settlements which had been made by the people of Massachusetts, and under the authority of grants from their General Court, had fallen within New-Hampshire. In one of them stood Fort Dummer, on the west side 1745.

1745. side of Connecticut river, and within the lately extended line of New-Hampshire. This fort had been erected and maintained, at the expense of Massachusetts; but when it was found to be within New-Hampshire, the Governor was instructed by the Crown to recommend to the Assembly, the future maintenance of it. In the same Assembly, which had so zealously entered upon the expedition against Cape Breton, this matter was introduced; but a considerable majority of the lower House declined making any grant for this purpose, and adduced the following reasons, viz. That the fort was fifty miles distant from any towns which had been settled by the government or people of New-Hampshire; that the people had no right to the lands which, by the dividing line, had fallen within New-Hampshire; notwithstanding the plausible arguments which had been used to induce them to bear the expense of the line; namely, that the land would be given to them or else would be sold to pay that expense; that the charge of maintaining that fort, at so great a distance, and to which there was no communication by roads, would exceed what had been the whole expense of government before the line

Printed
Journal,
May 3.

line was established; that the great load of debt contracted on that account, and the yearly support of government, with the unavoidable expenses of the war, were as much as the people could bear; that if they should take upon them to maintain this fort, there was another much better and more convenient fort at a place called Number-four, besides several other settlements, which they should also be obliged to defend; and finally that there was no danger that these forts would want support, since it was the interest of Massachusetts, by whom they were erected, to maintain them as a cover to their frontier.

When these reasons were given, the Governor dissolved the Assembly and called another, to whom he recommended the same measure in the most pressing terms; telling them, 'that it was of the
'last consequence to the present and future prosperity of the government; that
'their refusal would lessen them in the esteem of the King and his ministers, and
'strip the children yet unborn of their
'natural right; and deprive their brethren
'who were then hazarding their lives before the walls of Louisbourg of their
'just expectations, which were to sit down
'on that valuable part of the Province.' But his eloquence had no effect. They
thought

1745.

June 7.

1745. thought it unjust to burden their Constituents with an expense which could yield them no profit, and afford them no protection.

When it was determined, that New-Hampshire would make no provision for fort Dummer, the Assembly of Massachusetts continued its usual support, and also provided for the other posts on Connecticut river and its branches, which were within the limits of New-Hampshire. They afterwards petitioned the King, to deduct that charge out of the reimbursement, which the Parliament had granted to New-Hampshire, for the Canada expedition; but in this they were defeated, by the vigilance and address of Thomlinson, the agent of New-Hampshire.

Most of the frontier towns of New-Hampshire, at that time, were distinguished by no other than by Indian or temporary names. It may be convenient to compare them with their present names. On Connecticut river, and its eastern branches, were

Number-four,	} which are now called	Charlestown,
Great Meadow,		Westmoreland,
Great Fall,		Walpole,
Fort Dummer,		Hinsdale,
Upper Ashuelot &		Keene and
Lower Ashuelot,		Swansey. On

On Merrimack river and its branches, were 1745.

Penacook,	} which are now called	Concord,
Suncook,		Pembroke,
Contoocook,		Boscawen,
New Hopkinton,		Hopkinton,
Souhegan east &		Merrimack &
Souhegan west,		Amherst.

On Pascataqua river, and its branches, were the townships of Nottingham, Barrington and Rochester.

Besides the forts which were maintained at the public expense, there were private houses enclosed with ramparts, or palisades of timber; to which the people who remained on the frontiers retired; these private garrisoned houses were distinguished by the names of the owners. The danger to which these distressed people were constantly exposed, did not permit them to cultivate their lands to any advantage. They were frequently alarmed when at labor in their fields, and obliged either to repel an attack, or make a retreat. Their crops were often injured, and sometimes destroyed, either by their cattle getting into the fields where the enemy had broken the fences, or because they were afraid to venture out, to collect and secure the harvest. Their cattle and
horses

1745. horfes were frequently killed by the enemy ; who cut the flesh from the bones, and took out the tongues, which they preserved for food, by drying in smoke. Sometimes they were afraid even to milk their cows ; though they kept them in pastures as near as possible to the forts. When they went abroad, they were always armed ; but frequently they were shut up for weeks together in a state of inactivity.

July 5.
Doolittle's
Memoirs,
Page 2.

The history of a war on the frontiers can be little else than a recital of the exploits, the sufferings, the escapes and deliverances of individuals, of single families or small parties. The first appearance of the enemy on the western frontier was at the Great Meadow, sixteen miles above fort Dummer. Two Indians took William Phips, as he was hoeing his corn. When they had carried him half a mile, one of them went down a steep hill to fetch something which had been left. In his absence, Phips, with his own hoe, knocked down the Indian who was with him; then seizing his gun, shot the other as he ascended the hill. Unfortunately, meeting with three others of the same party, they killed him. The Indian whom he knocked down died of his wound. The same week they killed Josiah Fisher of upper Ashuelot.

July 10.

No

No other damage was done for three months; when a party of twelve Indians approached the fort at Great Meadow, and took Nehemiah How, who was at a little distance from the fort, cutting wood. The fort was alarmed, and one Indian was killed by a shot from the rampart; but no attempt was made to rescue the prisoner. As they were leading him away, by the side of the river, they espied a canoe coming down, with two men, at whom they fired, and killed David Rugg; but Robert Baker got to the opposite shore and escaped. Proceeding farther, they met three other men, who, by skulking under the bank, got safe to the fort. One of them was Caleb How, the prisoner's son. When they came opposite to Number-four, they made their captive write his name on a piece of bark, and left it there. Having travelled seven days westward, they came to a lake, where they found five canoes, with corn, pork and tobacco. In these canoes they embarked; and having stuck the scalp of David Rugg on a pole, proceeded to the fort at Crown-Point; where How received humane treatment from the French. He was then carried down to Quebec, where he

Q

1745.

Oa. 11.

How's
narrative.

died

died in prison. He was a useful man, greatly lamented by his friends and fellow captives.

1746.

April 19.
Doolittle's
memoirs.

The next spring, a party of Indians appeared at Number-four, where they took John Spafford, Isaac Parker and Stephen Farnsworth, as they were driving a team. Their cattle were found dead, with their tongues cut out. The men were carried to Canada, and, after some time, returned to Boston, in a flag of truce.

April 23.

Doolittle's
memoirs,
& Sumner's
MS letter.

Within a few days, a larger party, consisting of fifty, laid a plan to surprise the fort, at Upper Ashuelot. They hid themselves in a swamp, in the evening; intending to wait till the men had gone out to their work, in the morning, and then rush in. Ephraim Dorman, who was abroad very early, discovered them and gave the alarm. He bravely defended himself against two Indians, and stripped one of his blanket and gun, which he carried into the fort. John Bullard, and the wife of Daniel McKenny were killed. Nathan Blake was taken and carried to Canada, where he remained two years. They burned several houses and barns; and from the human bones found among the ashes, it was thought that some of the enemy fell and were concealed in the flames.

About

About the same time, a party came down to New Hopkinton, where they entered a garrisoned house, and found the people asleep; the door having been left open by one who had risen early and gone out to hunt. Eight persons were thus taken; Samuel Burbank and his two sons, David Woodwell, his wife, two sons, and a daughter. Burbank and the wife of Woodwell, died in captivity. Woodwell and three of the children returned in a flag of truce to Boston.

1746.

April 27.

How's narrative, & Norton's narrative.

Boston Post Boy.

The enemy were scattered in small parties, on all the frontiers. At Number-four, some women went out to milk their cows, with Major Josiah Willard, and several soldiers, for their guard: Eight Indians who were concealed in a barn, fired on them, and killed Seth Putnam; as they were scalping him, Willard and two more fired on them, and mortally wounded two, whom their companions carried off.

May 2.


Doolittle's narrative.

At Contoocook, five white men and a negro were fired at. Elisha Cook and the negro were killed. Thomas Jones was taken, and died in Canada.

May 4. Norton's & How's narratives.

At lower Ashuelot, they took Timothy Brown and Robert Moffat, who were carried to Canada and returned. At the

May 6.

1746.  same time, a party lay about the fort at Upper Ashuelot. As one of them knocked at the gate in the night, the centinel fired through the gate and gave him a mortal wound.

Doolittle's
narrative.

May 24.

The danger thus increasing, a reinforcement was sent by the Massachusetts Assembly, to these distressed towns. Capt. Paine, with a troop, came to Number-four; and about twenty of his men, going to view the place where Putnam was killed, fell into an ambush. The enemy rose and fired, and then endeavored to cut off their retreat. Capt. Phinehas Stevens, with a party, rushed out to their relief: A skirmish ensued; in which five men were killed on each side, and one of ours was taken. The Indians left some of their guns and blankets behind.

June 19.

In about a month after this, another engagement happened at the same place. As Captain Stevens and Captain Brown were going into the meadow, to look for their horses, the dogs discovered an ambush, which put the men into a posture for action, and gave them the advantage of the first fire. After a sharp encounter, the enemy were driven into a swamp, drawing away several of their dead. In this action one man only was lost. Several

Doolittle's
narrative.

Boston
Evening
Post.

ral blankets, hatchets, spears, guns and other things, were left on the ground, which were sold for forty pounds old tenor. This was reckoned 'a great booty' from such beggarly enemies. 1746.

At Bridgman's fort, near Fort Dummer, William Robins and James Baker were killed in a meadow. Daniel How and John Beeman were taken. How killed one of the Indians before he was taken. June 24.

When the people wanted bread they were obliged to go to the mills, with a guard, every place being full of danger. A party who went to Hinsdale's mill, with Colonel Willard at their head, in searching round the mill, discovered an ambush. The enemy were put to flight with the loss of their packs. July 3.

At Number-four, one Phillips was killed; and as some of the people were bringing him into the fort, they were fired upon; but none were hurt. Having burned some buildings, and killed some cattle, the enemy went and ambushed the road near Winchester, where they killed Joseph Rawson. Aug. 3.

Whilst the upper settlements were thus suffering, the lower towns did not escape. A party of Indians came down to Rochester, within twenty miles of Portsmouth. June 27. Haven's MS. letters

1746. Five men were at work in a field, having their arms at hand. The Indians concealed themselves; one of them fired, with a view to induce the men to discharge their pieces, which they did. The enemy then rushed upon them before they could load again. They retreated to a small deserted house and fastened the door. The Indians tore off the roof, and with their guns and tomahawks dispatched Joseph Heard, Joseph Richards, John Wentworth and Gershom Downs. They wounded and took John Richards; and then crossing over to another road, came upon some men who were at work in a field, all of whom escaped; but they took Jonathan Door, a boy, as he was sitting on a fence. Richards was kindly used, his wounds were healed, and after eighteen months he was sent to Boston in a flag of truce. Door lived with the Indians and acquired their manners and habits; but, after the conquest of Canada, returned to his native place.

Aug. 6.

Soon after this, another man was killed at Rochester. Two men were surprised and taken at Contoocook; and a large party of Indians lay in Ambush at Penacook, with an intention to attack the people, while assembled for public worship; but

but seeing them go armed to their devotions, they waited till the next morning, when they killed five and took two. 1746.


In these irritating skirmishes the summer was spent; till a large body of French and Indians attacked Fort Massachusetts, at Hoosuck. This fort was lost for want of ammunition to defend it. After this success, the enemy remained quiet during the rest of the summer.


Aug. 20.

Norton's narrative.

The prospect of an expedition to Canada had induced many of the soldiers who were posted on the frontiers to enlist into the regiments, because they preferred active service to the dull routine of a garrison. The defence of the western posts was not only hazardous, but ineffectual; and some persons in the north-western part of Massachusetts thought it inexpedient, to be at the charge of defending a territory, which was out of their jurisdiction. Their petitions prevailed with the Assembly, to withdraw their troops from the western parts of New-Hampshire. The inhabitants were then obliged to quit their estates. They deposited in the earth, such furniture and utensils as could be saved by that means; they carried off on horseback such as were portable; and the remainder, with their buildings, was left as a prey to the enemy,

November.

1746.  enemy, who came and destroyed or carried away what they pleased. Four families, who remained in Shattuck's fort (Hinsdale) defended it against a party of Indians, who attempted to burn it. Six men only were left in the fort at Number-four, who, in the following winter deserted it; and it was wholly destitute for two months. In this time some gentlemen, who understood the true interest of the country, prevailed on the Assembly of Massachusetts, to resume the protection of those deserted places; and to employ a sufficiency of men, not only to garrison them, but to range the woods and watch the motions of the enemy.

1747.  In the latter end of March, Captain Phinehas Stevens, who commanded a ranging company of thirty men, came to Number-four; and finding the fort entire, determined to keep possession of it. He had not been there many days, when he was attacked by a very large party of French and Indians, commanded by M. Debelinè. The dogs, by their barking, discovered that the enemy were near; which caused the gate to be kept shut, beyond the usual time. One man went out to make discovery and was fired on; but returned with a slight wound only. The enemy, finding

Stevens's
letter, in
Boston E-
vening
Post, April
27.

April 4.

g that they were discovered, arose from 1747.
eir concealment and fired at the fort on
l sides. The wind being high, they set
e to the fences and log-houses, till the
rt was surrounded by flames. Captain
evens took the most prudent measures for
s security ; keeping every vessel full of
ter and digging trenches under the walls
several places ; so that a man might
ep through, and extinguish any fire,
ich might catch on the outside of the
ills. The fire of the fences did not
ch the fort ; nor did the flaming arrows
ich they incessantly shot against it take
ect. Having continued this mode of
ack for two days, accompanied with
leous shouts and yells ; they prepared
wheel carriage, loaded with dry faggots,
be pushed before them, that they might
fire to the fort. Before they proceed-
to this operation, they demanded a ces-
ion of arms till the sun-rising, which
s granted. In the morning Debeline
ne up with fifty men, and a flag of truce
uch he stuck in the ground. He de-
unded a parley, which was agreed to.
French officer, with a soldier and an
dian, then advanced ; and proposed that
e garrison should bind up a quantity of
ovisions with their blankets, and having
laid

1747. laid down their arms should be conducted prisoners to Montreal. Another proposal was, that the two commanders should meet, and that an answer should then be given. Stevens met the French commander, who, without waiting for an answer, began to enforce his proposal, by threatening to storm the fort, and put every man to death, if they should refuse his terms, and kill one of his men. Stevens answered, that he could hearken to no terms till the last extremity; that he was intrusted with the defence of the fort, and was determined to maintain it, till he should be convinced that the Frenchman could perform what he had threatened. He added, that it was poor encouragement to surrender, if they were all to be put to the sword for killing one man, when it was probable they had already killed more. The Frenchman replied, 'Go and see if your men dare to fight any longer, and give me a quick answer.' Stevens returned and asked his men, whether they would fight or surrender. They unanimously determined to fight. This was immediately made known to the enemy, who renewed their shouting and firing all that day and night. On the morning of the third day, they requested another cessation

tion for two hours. Two Indians came 1747:
with a flag, and proposed, that if Stevens
could sell them provisions they would
withdraw. He answered, that to sell them
provisions for money was contrary to the
law of nations; but that he would pay
them five bushels of corn for every cap-
tive, for whom they would give a hostage,
till the captive could be brought from
Canada. After this answer, a few guns
were fired, and the enemy were seen no
more.

In this furious attack from a starving
enemy, no lives were lost in the fort, and
two men only were wounded. No men
could have behaved with more intrepidity
in the midst of such threatening danger.
An express was immediately dispatched to
Boston, and the news was there received
with great joy. Commodore Sir Charles
Knowles was so highly pleased with the
conduct of Capt. Stevens, that he pre-
sented him with a valuable and elegant
sword, as a reward of his bravery. From
this circumstance, the township, when it
was incorporated, took the name of
Charlestown.

Small parties of the enemy kept hover-
ing, and sometimes discovered themselves.
Morgan Phelps killed one, near the fort,
and

1747. and escaped unhurt, though fired upon
 and pursued by two others.

June 7.
 Haven's
 MS. letter.

Other parties went farther down the country; and at Rochester, they ambushed a company who were at work in a field. The ambush was discovered by three lads, John and George Place, and Paul Jennens. The Indians fired upon them. John Place returned the fire and wounded an Indian. Jennens presented his gun but did not fire; this prevented the enemy from rushing upon them, till the men from the field came to their relief and put the Indians to flight.

July 28.
 Boston E-
 vening
 Post.

At Penacook, a party of the enemy discovered themselves by firing at some cattle. They were pursued by fifty men; and retreated with such precipitation, as to leave their packs and blankets, with other things behind. One man had his arm broken in this conflict. About the same time, a man was killed there, who had just returned from Cape Breton, after an absence of two years. Another was killed at Suncook; and at Nottingham, Robert Beard, John Folsom and Elizabeth Simpson, suffered the same fate.

Upham's
 MS letter.

In the autumn, Major Willard and Captain Alexander, wounded and took a Frenchman, near Winchester, who was conducted

NEW-HAMPSHIRE.

253

ducted to Boston and returned to Canada. Soon after, the enemy burned Hodgman's fort; (Hinsdale) and killed several persons, and took others from that place, and from Number-four, in the ensuing winter. No pursuit could be made, because the garrison was not provided with snow shoes, though many hundreds had been paid for by the Government.

1747.

The next spring, Captain Stevens was again appointed to command at Number-four, with a garrison of an hundred men; Capt. Humphrey Hobbs being second in command. A scouting party of eighteen, was sent out under Capt. Eleazer Selvin. They discovered two canoes in the Champlain, at which they fired. The fort at Crown Point was alarmed, and a party came out to intercept them. Selvin crossed their track, and came back to the West River; where, as his men were resting themselves by shooting salmon, the Indians suddenly came upon them and killed six. The others came in at different times to Fort Dummer.

1748.

Olcott's
MS letter.

May 25.

Doolittle's
narrative.

On a Sabbath morning, at Rochester, the wife of Jonathan Hodgdon was taken by the Indians, as she was going to milk her cows. She called aloud to her husband.

May 1.

Haven's
MS letter.

band.

1748. band. The Indians would have kept her quiet, but as she persisted in calling, they killed her, apparently contrary to their intentions. Her husband heard her cries, and came to her assistance, at the instant of her death. His gun missed fire, and he escaped. The alarm, occasioned by this action, prevented greater mischief.

June 16. The next month, they killed three men belonging to Hinsdale's fort, Nathan French, Joseph Richardson and John Frost. Seven were taken; one of whom, William Bickford, died of his wounds.

June 26. Capt. Hobbs, and forty men, being on a scout near West River, were surprised by a party of Indians, with whom they had a smart encounter, of three hours continuance. Hobbs left the ground, having had three men killed and four wounded. The same party of the enemy killed two men and took nine, between fort Hinsdale and fort Dummer.

July 14. The cessation of arms between the belligerent powers did not wholly put a stop to the incursions of the enemy; for after 1749. it was known here, and after the garrison of Number-four was withdrawn, excepting fifteen men, Obadiah Sortwell was killed

killed, and a son of Capt. Steyens was taken and carried to Canada; but he was released and returned. 1749.

During this affecting scene of devastation and captivity; there were no instances of deliberate murder nor torture exercised on those who fell into the hands of the Indians; and even the old custom of making them run the gantlet was in most cases omitted. On the contrary there is an universal testimony from the captives who survived and returned, in favor of the humanity of their captors. When feeble, they assisted them in travelling; and in cases of distress from want of provision, they shared with them an equal proportion. A singular instance of moderation deserves remembrance. An Indian had surprised a man at Ashuelot; the man asked for quarter, and it was granted: Whilst the Indian was preparing to bind him, he seized the Indian's gun, and shot him in one arm. The Indian, however, secured him; but took no other revenge than, with a kick, to say 'You dog, how could you treat me so?' The gentleman from whom this information came, has frequently heard the story both from the captive and the captor. The latter related

Olcott's
MS letter.

1749 related it as an instance of English perfidy; the former of Indian lenity.

There was a striking difference between the manner in which this war was managed, on the part of the English and on the part of the French. The latter kept out small parties continually engaged in killing, scalping and taking prisoners; who were sold in Canada and redeemed by their friends, at a great expense. By this mode of conduct, the French made their enemies pay the whole charge of their predatory excursions, besides reaping a handsome profit to themselves. On the other hand, the English attended only to the defence of the frontiers; and that in such a manner, as to leave them for the most part insecure. No parties were sent to harass the settlements of the French. If the whole country of Canada could not be subdued, nothing less could be attempted. Men were continually kept in pay, and in expectation of service; but spent their time either in garisons, or camps, or in guarding provisions when sent to the several forts. Though large rewards were promised for scalps and prisoners, scarcely any were obtained, unless by accident. A confusion of councils, and a multiplicity of directors, caus-

ed frequent changes of measures, and delays in the execution of them. The forts were ill supplied with ammunition, provisions, clothing and snow-shoes. When an alarm happened, it was necessary, either to bake bread, or dress meat, or cast bullets, before a pursuit could be made. The French gave commissions to none but those who had distinguished themselves by some exploit. Among us, persons frequently obtained preferment, for themselves or their friends, by making their court to Governors, and promoting favorite measures in town meetings, or General Assemblies. 1747.

A community recovering from a war, like an individual recovering from sickness, is sometimes in danger of a relapse. This war was not decisive, and the causes which kindled it were not removed. One of its effects was, that it produced a class of men, who, having been for a time released from laborious occupations, and devoted to the parade of military life, did not readily listen to the calls of industry. To such men peace was burdensome, and the more so, because they had not the advantage of half pay. The interval between this and the succeeding war was not long. The peace took place in 1749, and in 1754 there was a call to resume the sword.

C H A P. XXI.

Purchase of Mason's claim. Controversy about Representation. Plan of extending the settlements. Jealousy and resentment of the savages.

1744. **W**HILST the people were contend-
 ing with an enemy abroad, an
 attempt was making at home, to revive
 the old claim of Mason, which their fathers
 had withstood, and which for many years
 had lain dormant, till recalled to view by
 the politicians of Massachusetts, as already
 related. After Thomlinson had engaged
 with Mason, for the purchase of his title,
 nothing more was heard of it, till the con-
 troversy respecting the lines was finished,
 and Wentworth was established in the seat
 of government, and in the office of Sur-
 veyor of the Woods. The agreement
 which Thomlinson had made, was in be-
 half of the Representatives of New-Hamp-
 shire ; and the instrument was lodged in
 the hands of the Governor, who sent it to
 the House for their perusal and considera-
 tion. It lay on their table a long time,
 without any formal notice. Quickening
 messages

Oct. 30.

Assembly
 Records.

messages were sent time after time; but the affairs of the war, and Mason's absence at sea, and in the expedition to Louisbourg, where he had a company, together with a disinclination in the House, which was of a different complexion from that in 1739, prevented any thing from being done. 1744.

In the mean time Mason suffered a fine and recovery, by which the entail was docked, in the Courts of New-Hampshire, and he became entitled to the privilege of selling his interest. He also presented a memorial to the Assembly, in which he told them that he would wait no longer; and unless they would come to some resolution, he should take their silence as a refusal. Intimations were given, that if they would not ratify the agreement, a sale would be made to other persons, who stood ready to purchase. At length the House came to a resolution, 'that they ' would comply with the agreement, and ' pay the price; and that the waste lands ' should be *granted by the General Assembly*, ' to the inhabitants, as they should think ' proper.' A committee was appointed to treat with Mason, about fulfilling his agreement, and to draw the proper instruments of conveyance; but he had on the

1745.

Feb. 22.

1746.

Jan. 29.

1746.

Jan. 30.

same day, by deed of sale, for the sum of fifteen hundred pounds currency, conveyed his whole interest to twelve persons, in fifteen shares. When the House sent a message to the Council to inform them of this resolution, the Council objected to that clause of the resolve, 'that the lands be granted by the General Assembly,' as contrary to the royal commission and instructions; but if the House would address the King, for leave to dispose of the lands, they said that they were content.

These transactions raised a great ferment among the people. Angry and menacing words were plentifully thrown out against the purchasers; but they had prudently taken care to file in the Recorder's office a deed of quit claim to all the towns which had been settled and granted within the limits of their purchase.* In this quit claim,

Records of
deeds.

* The purchasers of this claim were
Theodore Atkinson, three fifteenths.
M. H. Wentworth, two fifteenths.
Richard Wibird.
John Wentworth (son of the Governor.)
George Jaffrey.
Samuel Moore.
Nathaniel Messervè.

Thomas Packer.
Thomas Wallingford.
Jotham Odiorne.
Josias Peirce.
John Moffat, one fifteenth
each.

The towns quit claimed were,
Portsmouth, Londonderry,
Dover, Chester,
Exeter, Nottingham,
Hampton, Barrington,
Gosport, Rochester,
Kingston, Canterbury,

Bow,
Chichester,
Epsom,
Barnstead,
and afterward
Gilmantown.

claim, they inserted a clause in the following words, 'excepting and reserving our
 'respective rights, titles, inheritance and
 'possessions, which we heretofore had, in
 'common or severalty, as inhabitants or
 'proprietors of houses or lands, within
 'any of the towns, precincts, districts or
 'villages aforesaid.' This precaution had not at first its effect. A committee of both Houses was appointed to consider the matter, and they reported, that 'for quiet-
 'ing the minds of the people, and to prevent future difficulty, it would be best
 'for the Province to purchase the claim,
 'for the use and benefit of the inhabitants;
 'provided that the purchasers would sell
 'it for the cost and charges.' This report was accepted, concurred and consented to, by every branch of the legislature. A committee was appointed to consult Council, and agree on proper instruments of conveyance. The same day, this committee met with the purchasers, and conferred on the question, whether they would sell on the terms proposed? At the conference, the purchasers appeared to be divided, and agreed so far only, as to withdraw their deed from the Recorder's office. The committee reported that they could make no terms with the purchasers; in consequence

1746.

Assembly
Records.

Aug. 4.

Aug. 12.

Aug. 28.

1746. quence of which the deed was again lodged in the office and recorded.

Sept. 4.
MS letter,
in Proprietary Office.

Much blame was cast on the purchasers, for clandestinely taking a bargain out of the hands of the Assembly. They said in their vindication, ' that they saw no prospect of an effectual purchase by the Assembly, though those of them who were members, voted for it, and did what they could to encourage it; that they would have gladly given Mason as much money, for his private quit-claim to their several rights in the townships already granted and settled; that Mason's claim had for many years hung over the Province, and that on every turn they had been threatened with a proprietor; that Mason's deed to a committee of Massachusetts, in behalf of that Province, for a tract of land adjoining the boundary line, had been entered on the records, and a title under it set up, in opposition to grants made by the Governor and Council; that it was impossible to say where this evil would stop, and therefore they thought it most prudent to prevent any farther effects of it, by taking up with his offer, especially as they knew that he might have made a more advantageous bargain, with a gentleman
of

‘ of fortune in the neighbouring Province; 1746.
 ‘ but that they were still willing, to sell
 ‘ their interest to the Assembly, for the
 ‘ cost and charges; provided that the land
 ‘ be *granted by the Governor and Council*;
 ‘ and that the agreement be made within
 ‘ one month from the date of their letter.’

Within that month, the alarm caused by the approach of D’Anville’s fleet, put a stop to the negotiation. After that danger was over, the affair was revived; but the grand difficulty subsisted. The purchasers would not sell, but on condition that the lands should be granted, by the Governor and Council. The Assembly thought that they could have no security that the land would be granted to the people; because the Governor and Council might grant it to themselves, or to their dependents, or to strangers; and the people who had paid for it might be excluded from the benefit which they had purchased. A proposal was afterward made, that the sale should be to trustees in trust for the people; and a form of a deed for this purpose was drawn. To this proposal, the purchasers raised several objections; and as the Assembly had not voted any money to make the purchase, they declined signing the deed; and no

1747.
 Aug. 20.

1747. farther efforts being made by the Assembly, the purchase rested in the hands of the proprietors. In 1749 they took a second deed, comprehending all the Masonian grants, from Naumkeag to Pascataqua; whereas the former deed was confined to the lately established boundaries of New-Hampshire. This latter deed was not recorded till 1753.

Records of
deeds.

1748.

After they had taken their first deed, the Masonians began to grant townships, and continued granting them to petitioners, often without fees, and always without quit-rents. They quieted the proprietors of the towns, on the western side of the Merrimack, which had been granted by Massachusetts, before the establishment of the line; so that they went on peaceably with their settlements. The terms of their grants were, that the grantees should, within a limited time, erect mills and meeting-houses, clear out roads and settle ministers. In every township, they reserved one right for the first settled minister, another for a parsonage, and a third for a school. They also reserved fifteen rights for themselves, and two for their attorneys; all of which were to be free from taxes, till sold or occupied. By virtue of these grants, many townships were

were settled, and the interest of the people became so united with that of the proprietors, that the prejudice against them gradually abated; and, at length, even some who had been the most violent opposers, acquiesced in the safety and policy of their measures, though they could not concede to the validity of their claim. 1748.

The heirs of Allen, menaced them by advertisements, and warned the people against accepting their grants. They depended on the recognition of Allen's purchase, in the Charter of Massachusetts, as an argument in favor of its validity; and supposed, that because the ablest lawyers in the kingdom were consulted, and employed in framing that charter, they must have had evidence of the justice of his pretensions, before such a reservation could have been introduced into it. So strong was the impression, which this argument had made, on the minds of speculators in England, that large sums had been offered, to some of Allen's heirs, in that kingdom; and, Thomlinson himself, the first mover of the purchase from Mason, in behalf of New-Hampshire, had his doubts; and would have persuaded the associates to join in buying Allen's title also,

MS letters
of Thom-
linson.

1748. so, even at the price of ~~two thousand~~ pounds sterling, to prevent a more extensive litigation, the issue of which would be uncertain. But they, being vested with the principal offices of government; being men of large property, which was also increased by this purchase; and having satisfied themselves, of the validity of their title, by the opinions of some principal lawyers, both here and in England, contented themselves with the purchase which they had made; and by maintaining their possession, extended the cultivation of the country within their limits.

The words of the original grants to Mason, describe an extent of sixty miles from the sea, on each side of the Province, and a line to *cross over* from the end of one line of sixty miles, to the end of the other. The Masonian proprietors pleaded, that this cross line should be a *curve*, because, no other line would preserve the distance of sixty miles from the sea, in every part of their western boundary. No person had any right to contest this point with them, but the King. It was not for the interest of his Governor and Council to object; because several of them, and of their connections, were of the Masonian propriety; and no objection

objection was made by any other persons, in behalf of the Crown. Surveyors were employed, at several times, to mark this curve line ; but on running, first from the southern, and then from the eastern boundary, to the river Pemigewasset, they could not make the lines meet. Controversies were thus engendered, between the grantees of Crown lands and those of the Masonians, which subsisted for many years. In some cases, the disputes were compromised, and in others, left open for litigation ; till, by the revolution, the government fell into other hands.

This was not the only controversy, which, till that period, remained undetermined. When the extension of the boundary lines gave birth to a demand, for the maintenance of fort Dummer, the Governor had the address, to call to that Assembly, into which he introduced this demand, six new members ; who appeared as representatives for six towns and districts, some of which had been, by the southern line, cut off from Massachusetts. It was supposed that his design, in calling these members, was to facilitate the adoption of fort Dummer. Other towns, which ought to have had the same privilege. extended to them, were neglected. When the

1748.

Printed
Journal,
Jan. 1744.

1748.

the new members appeared in the House, the Secretary, by the Governor's order, administered to them the usual oaths; after which, they were asked, in the name of the House, by what authority they came thither? They answered, that they were chosen by virtue of a writ, in the King's name, delivered to their respective towns and districts, by the Sheriff. The House remonstrated to the Governor, that these places had no right, by law, nor by custom, to send persons to represent them; and then debarred them from the privilege of voting, in the choice of a Speaker; two only dissenting, out of nineteen. Several sharp messages passed, between the Governor and the House, on that occasion; but the pressing exigencies of the war, and the proposed expedition to Cape-Breton, obliged him, for that time, to give way, and suffer his new members to be excluded, till the King's pleasure could be known.

The House vindicated their proceedings, by appealing to their records; from which it appeared, that all the additions, which had been made to the House of Representatives, were, in consequence of their own votes, either issuing a precept themselves, or requesting the Governor to do

do it ; from which they argued, that no town, or parish, ought to have any writ, for the choice of a Representative, but by a vote of the House, or by an act of the Assembly. On the other side, it was alleged, that the right of sending Representatives was originally founded on the royal commission and instructions, and therefore, that the privilege might, by the same authority, be lawfully extended to the new towns, as the King, or his Governor, by advice of Council, might think proper. The precedents on both sides were undisputed ; but neither party would admit the conclusion drawn by the other. Had this difficulty been foreseen, it might have been prevented when the triennial act was made in 1727. The defects of that law, began now to be severely felt ; but could not be remedied.

The dispute having thus subsided, was not revived during the war ; but as soon as the peace was made, and the King had gone on a visit to his German dominions, an additional instruction was sent from the Lords Justices, who presided in the King's absence, directing the Governor to dissolve the Assembly then subsisting ; and when another should be called, to issue the King's writ to the Sheriff, commanding him

1748.

Douglass,
11, 35.

June 30.

1748. him to make out precepts to the towns and districts, whose Representatives had been before excluded; and that when they should be chosen, the Governor should support their rights.

Had this instruction extended to all the other towns in the Province, which had not been before represented, it might have been deemed equitable; but as it respected those only, which had been the subject of controversy, it appeared to be grounded on partial information, and intended to strengthen the prerogative of the Crown, without a due regard to the privileges of the people at large.

1749.

Jan. 3.

The party in opposition to the Governor became more acrimonious than ever. Richard Waldron, the former Secretary, and the confidential friend of Belcher, appeared in the new Assembly and was chosen Speaker. The Governor negatived him; and ordered the House to admit the new members, and choose another Speaker. They denied his power of negativing their Speaker and of introducing new members. The style of his messages was peremptory and severe; their answers and remonstrances were calm, but resolute, and in some instances satyrical. Neither party would yield; no business was transacted;

acted; though the Assembly met about ^{1749.} once in a month, and was kept alive, by adjournments and prorogations, for three years. Had he dissolved them, before the time for which they were chosen had expired, he knew, that in all probability, the same persons would be re-elected.

The effect of this controversy was injurious to the Governor, as well as to the people. The public bills of credit had depreciated since this administration began, in the ratio of thirty to fifty-six; and the value of the Governor's salary had declined in the same proportion. The excise could neither be farmed nor collected; and that part of the Governor's salary, which was funded upon it, failed. The Treasurer's accounts were unsettled. The soldiers, who had guarded the frontiers in the preceding war, were not paid; nor were their muster-rolls adjusted. The public records of deeds were shut up; for the Recorder's time having expired, and the appointment being by law vested in the Assembly, no choice could be made. No authenticated papers could be obtained, though the agent was constantly soliciting for those which related to the controversy about Fort Dummer, at that time before the King and Council.

When

1749. When the situation of the Province was
 1750. known in England, an impression to its
 1751. disadvantage was made on the minds of its
 best friends; and they even imagined that
 the Governor's conduct was not blameless.*
 The language at Court was totally changed.
 The people of New-Hampshire who
 had formerly been in favor, as loyal and
 obedient subjects, were now said to be in
 rebellion. Their agent was frequently
 reproached and mortified on their account,
 and was under great apprehension, that
 they would suffer, not only in their reputa-
 tion, but in their interest. The agent of
 Massachusetts was continually soliciting for
 repayment of the charges of maintaining
 fort

Thomlin-
 son's MS
 letters.

* August 10, 1749, Mr. Thomlinson wrote thus to Mr. Atkinson.
 'I am sorry to find by your letters, and by every body from your coun-
 try, the confusion your Province is in. I wish I could set you right.
 'I cannot help thinking that the Governor has done some imprudent
 things; but the other party is fundamentally wrong, and the Govern-
 or will always be supported as long as he conducts himself by his
 Majesty's instructions, and in his right of negating a speaker. Not-
 withstanding this, I am surprised that he, or any other Governor,
 should not think it their interest, to behave so to all sorts of people
 under their government, as to make all their enemies their friends,
 rather than to make their friends their enemies.'

October 19, 1749, Mr. Atkinson wrote thus in answer. 'I am
 supposed by many people to be privy to all the Governor's transac-
 tions here, which is totally without foundation. I never saw a letter
 which he wrote home, nor any he received, only, when any of them
 were communicated to the Council or Assembly; nor any of his
 speeches or messages. So that, really, I cannot be said to advise.
 Neither do I see what reason the people have to complain. His
 greatest enemies are now of the Assembly, and in all the controver-
 sy, not one particular instance of injustice or oppression hath been men-
 tioned by them; and when you read over their several messages, and
 votes, you will not discover any inclination to conceal the least fail-
 ing he had been the author of.'

fort Mummer, and it was in contempla- 1749.
 tion, to take off a large district from the 1750.
 western part of New-Hampshire, and to 1751.
 annex it to Massachusetts, to satisfy them
 for that expense. Besides this, the paper
 money of the Colonies was under the con-
 sideration of Parliament; and the Province
 of Massachusetts was rising into favor for
 having abolished that system of iniquity.
 The same justice was expected of New-
 Hampshire, since they had the same means
 in their power by the reimbursement
 granted to them by Parliament for the
 Cape-Breton and Canada expeditions.
 This money, amounting to about thirty
 thousand pounds sterling, clear of all fees
 and commissions, had lain long in the
 treasury; and when it was paid to the a-
 gent, he would have placed it in the funds,
 where it might have yielded an in-
 terest of three per cent; but having no
 directions from the Assembly, he locked
 it up in the bank. This was a clear loss
 to them of nine hundred pounds per an-
 num. There were some who reflected on
 the agent, as if he had made an advantage
 to himself of this money. Had he done
 it, his own capital was sufficient to have
 answered any of their demands; but it
 was also sufficient to put him above the
 S necessity

1749. necessity of employing their money ~~rather~~
 1750. in trade or speculation.

1751. It had also been suggested, that Thom-
 linson, at the Governor's request, had so-
 licited and procured the instruction, which
 had occasioned this unhappy stagnation of
 business. When this suggestion came to
 his knowledge, he exculpated himself
 from the charge, in a letter which he
 wrote to a leading member of the Assem-
 bly; and gave a full account of the mat-
 ter as far as it had come to his knowledge.
 He said, that the Governor himself had
 stated the facts in his letters to the minis-
 try; concerning his calling of the new
 members, in 1745, and their exclusion from
 the Assembly, with the reasons given for
 it; and had desired to know the King's
 pleasure, and to have directions how to
 act. That the ministry, without any ex-
 ception or hesitation, had pronounced his
 conduct conformable to his duty. That
 nevertheless, the Board of Trade had fol-
 emnly considered the matter, and consult-
 ed Council, and had summoned him, as
 agent of the Province, to attend their de-
 liberation. Their result was, that as the
 Crown had an indisputable right to incor-
 porate any town in England, and quali-
 fy it to send members to Parliament, so
 the

MS letter of
 Thomlin-
 son to H.
 Sherburne,
 Nov. 13,
 1749.

same right and power had been legal- 1749.
 given to all the Governors in America; 1750.
 means of which, all the Assemblies in 1751.
 King's governments had increased in
 number, as the Colonies had increased in
 elements. That any other usage in call-
 Representatives was wrong; although
 might have been indulged, when the
 province was under the same Governor
 as Massachusetts. This was all which
 preceded before the additional instruction
 came out, which was sent through the
 hands of the Agent. As it was founded
 on a question concerning the rights and
 prerogatives of the Crown; he argued the
 absurdity of supposing, either that it had
 been solicited, or that any attempt to have
 withdrawn could be effectual. His ad-
 vice was, that they should submit to it;
 because, that under it, they would enjoy
 the same rights and privileges with their
 fellow subjects in England, and in the
 other Colonies; assuring them, that the
 then reigning Prince had never discovered
 the least inclination to infringe the con-
 stitutional rights of any of his subjects.
 This advice, however salutary, had not
 the intended effect. Instead of submit-
 ting, the party in opposition to the Gov-
 ernor, framed a complaint against him,

1749. and sent it to London, to be presented to
 1750. the King. If they could have prevailed,
 1751. their next measure would have been, to
 recommend a gentleman of Massachusetts
 for his successor. This manœuvre came
 to the ears of Thomlinson; but he was
 under no necessity to exert himself on this
 occasion; for the person to whose care
 the address was intrusted, considering the
 absurdity of complaining to the King,
 against his Governor, for acting agreeably
 to his instructions, was advised not to
 present it. This disappointment vexed
 the opposition to such a degree, that they
 would have gladly dissolved the govern-
 ment, and put themselves under the juris-
 diction of Massachusetts, had it been in
 their power. But, finding all their efforts
 ineffectual, either to have the instruction
 withdrawn, or the Governor removed,
 they consoled themselves with this thought,
 that it was 'better to have two privileges
 ' taken from them, than voluntarily to
 ' give up one.'

MS letters
 of Thom-
 linson.

1752. The time for which this Assembly was
 elected having expired, a new one was call-
 ed in the same manner. They came to-
 gether with a spirit of moderation, and
 disposition to transact the long neglected
 business. The members, from the new

Jan. 2.

TOWNS.

towns, quietly took their seats. An unexceptionable Speaker was elected. A Recorder was appointed. A committee was chosen to settle the Treasurer's accounts, and a vote was passed for putting the reimbursement money into the public funds in England. The Governor's salary was augmented, and all things went on smoothly. The party which had been opposed to the Governor, declined, in number and in virulence : Some were removed by death ; others were softened and relaxed. A liberal distribution of commissions, civil and military, was made, and an era of domestic reconciliation commenced.

1752.

Records of
Assembly.Atkinson's
MS letters.

The controversy respecting Fort Dummer, and the fear of losing a district in that neighbourhood, quickened the Governor to make grants of several townships in that quarter, on both sides of Connecticut river ; chiefly to those persons who claimed the same lands, under the Massachusetts title. The war being over, the old inhabitants returned to their plantations, and were strengthened by additions to their number. It was in contemplation, to extend the settlements, farther up Connecticut river, to the rich meadows of Cohos. The plan was, to cut a road to that place ; to lay out two townships, one

1752.

Atkinson's
MS letters.

on each side of the river, and opposite to each other; to erect stockades, with lodgments for two hundred men, in each township, enclosing a space of fifteen acres; in the center of which was to be a citadel, containing the public buildings and granaries, which were to be large enough to receive all the inhabitants, and their movable effects, in case of necessity. As an inducement to people to remove to this new plantation; they were to have Courts of Judicature, and other civil privileges among themselves, and were to be under strict military discipline. A large number of persons engaged in this enterprise; and they were the rather stimulated to undertake it, because it was feared, that the French, who had already begun to encroach on the territory claimed by the British Crown, would take possession of this valuable tract, if it should be left unoccupied.

MS letters
of Col. Israel
Williams.

In pursuance of this plan, a party was sent up in the spring of 1752, to view the meadows of Cohos, and lay out the proposed townships. The Indians observed them, and suspected their intentions. The land was theirs, and they knew its value. A party of the Arosaguntacook, or St. Francis Tribe was deputed, to remonstrate
against

against this proceeding. They came to the fort at Number-four, with a flag of truce ; pretending that they had not heard of a treaty of peace, which had been made with the several Indian tribes. They complained to Captain Stevens, of the encroachment which was meditating on their land ; and said, that they could not allow the English to settle at Cohos, when they owned more land already than they could improve ; and, that if this settlement were pursued, they should think the English had a mind for war, and would resist them. This threatening being communicated to the Governor of Massachusetts, and by him to the Governor of New-Hampshire, threw such discouragement on the project that it was laid aside.

The Indians did not content themselves with remonstrating and threatening. Two of the same tribe named Sabatis and Christi, came to Canterbury ; where they were entertained in a friendly manner for more than a month. At their departure, they forced away two negroes ; one of whom escaped and returned ; and the other was carried to Crown Point and sold to a French officer. A party of ten or twelve of the same tribe, commanded by Captain Moses, met with four young men who

1752.
April.

MS depositions.

1752. were hunting on Baker's river. One of these was John Stark. When he found himself surprised and fallen into their hands, he called to his brother William Stark, who being in a canoe, gained the opposite shore, and escaped. They fired at the canoe and killed a young man who was in it. John received a severe beating from the Indians for alarming his brother. They carried him and his companion, Eastman, up Connecticut river, through several carrying places, and down the Lake Memphrimagog to the head quarters of their tribe. There they dressed him in their finest robes and adopted him as a son. This early captivity, from which he was redeemed, qualified him to be an expert partisan, in the succeeding war; from which station, he afterward rose to the rank of Major General in the armies of the United States.

1753.

June.
MS depo-
sitions.

The next year Sabatis, with another Indian named Plaulawa, came to Canterbury; where, being reproached with the misconduct respecting the negroes, he and his companion behaved in an insolent manner. Several persons treated them very freely with strong liquor. One followed them into the woods, and killed them, and by the help of another, buried them; but

May.
Shirley's
printed
confer-
ence, 1754.

Informa-
tion of W.
Stark.

but so shallow, that their bodies were devoured by beasts of prey, and their bones lay on the ground. By the treaties of peace, it had been stipulated, on the one part, that if any of the Indians should commit an act of hostility against the English, their young men should join with the English in reducing such Indians to submission; and on the other hand, that if an Englishman should injure any of them, no private revenge should be taken; but application should be made to the government for justice. In the autumn of the same year, a conference being held, with the eastern Indians, by the government of Massachusetts, a present was made to the Arosaguntacook tribe, expressive of an intention to wipe away the blood. They accepted the present, and ratified the peace which had been made in 1749.

Printed
confer-
ence, 1753.

The two men who killed Sabatis and Plausawa, were apprehended and brought to Portsmouth. A bill was found against them by the Grand Jury, and they were confined in irons. In the night, before the day appointed for their trial, an armed mob from the country, with axes and crows, forced the prison, and carried them off in triumph. A proclamation was issued

1754.
MS letters
of Gover-
nor Went-
worth.

1754. sued, and a reward offered by the Governor for apprehending the rioters ; but no discovery was made, and the action was even deemed meritorious. The next summer, another conference was held at Falmouth, at which Commissioners from New-Hampshire assisted. The Arosaguntacooks did not attend ; but sent a message, purporting that the blood was not wiped away. The Commissioners from New-Hampshire made a handsome present, to all the Indians, who appeared at this conference ; which ended as usual, in fair promises of peace and friendship.

Printed
conference

CHAR.

C H A P. XXII.

be last French and Indian war, which terminated in the conquest of Canada. Controversy concerning the lands westward of Connecticut river.

BY the treaty of Aix la Chappelle, in 1748, 'it was stipulated, that 'all things should be restored, on the footing they were before the war.' The land of Cape-Breton was accordingly restored to France; but the limits of the French and English territories on the continent, were undetermined; and it was the policy of both nations to gain possession of important passes, to which each had some pretensions, and to hold them, till the limits should be settled by Commissioners mutually chosen. These commissioners met at Paris; but came to no decision. By the construction of charters and grants from the Crown of England, the colonies extended indefinitely westward. The French had settlements in Canada and Louisiana, and they meditated to join these distant Colonies, by a chain of forts and posts, from the St. Lawrence to the Mississippi; and to extend the

Printed
treaty.

the limits of Canada, as far eastward, as to command navigation in the winter, when the great river St. Lawrence is impassable. These claims of territory, extending on the one part from east to west, and on the other from north to south, necessarily interfered. The Colonies of Nova-Scotia, New-York and Virginia, were principally affected by this interference ; and the encroachments made on them by the French, were a subject of complaint, both here and in Europe.

1754.

Shirley's
letters and
speeches.

It was foreseen that this controversy could not be decided but by the sword; and the English determined to be early in their preparations. The Earl of Holderness, Secretary of State, wrote to the Governors of the American Colonies, recommending *union* for their mutual protection and defence. A meeting of Commissioners from the Colonies, at Albany, having been appointed, for the purpose of holding a conference with the Six Nations, on the subject of French encroachments, within their country ; it was proposed, by Governor Shirley, to the several Governors, that the delegates should be instructed on the subject of union.

June 19.

At the place appointed, the Congress was held ; consisting of delegates from
Massachusetts,

Massachusetts, New-Hampshire, Rhode-
Island, Connecticut, Pennsylvania and
Maryland ; with the Lieutenant Gover-
nor and Council of New-York. They
took their rank in geographical order, be-
ginning at the north. One member from
each Colony was appointed to draw a plan
of union ; Hutchinson of Massachusetts,
Atkinson of New-Hampshire, Hopkins
of Rhode-Island, Pitkin of Connecticut,
Smith of New-York, Franklin of Penn-
sylvania, and Tasker of Maryland. The
substance of the plan was, that application
be made, for an act of Parliament, to
form a grand Council, consisting of dele-
gates from the several legislative Assem-
blies, subject to the control of a President-
General, to be appointed by the Crown,
with a negative voice. That this Coun-
cil should enact general laws ; apportion
the quotas of men and money, to be rais-
ed by each Colony ; determine the build-
ing of forts ; regulate the operations of
armies ; and concert all measures for the
common protection and safety. The del-
egates of Connecticut alone, entered their
dissent to the plan, because of the negative
voice of the President-General. It is wor-
thy of remark, that this plan, for the
union of the Colonies, was agreed to, on
the

1754

Atkinson's
MS Journal.

1754. the fourth day of July; exactly twenty-two years before the declaration of American independence, and that the name of FRANKLIN appears in both.*

With the plan of union, a representation was made to the King, of the danger in which the Colonies were involved. Copies of both were laid before the several Assemblies. They were fully sensible of their danger from the French; but they apprehended greater danger from the plan of union. Its fate was singular. It was rejected in America, because it was supposed to put too much power in to the hands of the King; and it was rejected in England, because it was supposed to give too much power to the Assemblies of the Colonies. The ministry made another proposal; that the Governor, with one or two members of the Council, of each Colony, should assemble, and consult for the common defence, and draw on the British treasury for the sums expended; which should be raised by a general

Franklin's
Examina-
tion. 1766.

* At this Congress, a present from the Crown was distributed to the Indians. The Commissioners of New-Hampshire, Atkinson, Wilbur, Sherburne and Weare, by direction of the Assembly, made them a separate present. It is a custom among the Six Nations, to give a NAME to their benefactors on such occasions. The name which they gave to the Province of New-Hampshire was *So-ságuax-ouáñe*. I have inquired of the Rev. Mr. Kirkland, the meaning of this name: He informed me that *So* signifies, AGAIN; *ságuax*, a DISH; and *ouáñe* LARGE.

neral tax, laid by Parliament, on the colonies. But this was not a time to ^{1754.} ush such an alarming-innovation; and when it was found impracticable, the ministry determined to employ their own troops, to fight their battles in America, rather than to let the Colonists feel their own strength, and be directed by their own Counsels.

To draw some aid however from the colonies was necessary. Their militia might serve as guards, or rangers, or laborers, or do garrison duty, or be employed in other inferior offices; but British troops, commanded by British officers, must have the *honor* of reducing the French dominions in North America.

The savage nations in the French interest were always ready, on the first appearance of a rupture, to take up the torch. It was the policy of the French government, to encourage their depredations, on the frontiers of the English Colonies, to which they had a native antipathy. By this means, the French could make their enemies pay the whole expense of a war; for all the supplies, which they afforded to the Indians, were amply compensated, by the ransom of captives. In these later wars, therefore, we find the savages

1754. savages more dextrous in taking captives—
 and more tender of them when taken—
 than in former wars ; which were carried—
 on with circumstances of greater cruelty—

No sooner had the alarm of hostilities—
 which commenced between the English—
 and French, in the western part of Virgi—
 nia, spread through the continent ; than
 the Indians renewed their attacks on the
 frontiers of New-Hampshire. A party
 Aug. 15. of them made an assault, on a family at
 Baker's-town, on Pemigewasset river ;
 where they killed a woman, and took sev—
 eral captives. Within three days they
 Aug. 18. killed a man and woman at Steven's town
 in the same neighbourhood ; upon which
 Council the settlements were broken up, and the
 minutes. people retired to the lower towns for safe—
 ty, and the government was obliged to
 post soldiers in the deserted places. After
 Aug. 29. a few days more, they broke into the house
 of James Johnson, at Number-four, early
 in the morning, before any of the family
 were awake ; and took him, with his wife
 and three children, her sister Miriam Wil—
 lard, and two men, Peter Laboree and
 Ebenezer Farnsworth. The surprisal was
 Olcott's complete and bloodless, and they carried
 MS letter. them off undisturbed. The next day
 Johnson's wife was delivered of a daughter,
 who

who from the circumstances of its birth was named *Captive*. The Indians halted one day, on the woman's account, and the next day resumed their march; carrying her on a litter, which they made for the purpose, and afterward put her on horse-back. On their march, they were distressed for provision; and killed the horse for food; the infant was nourished, by sucking pieces of its flesh. When they arrived at Montreal, Johnson obtained a parole, of two months, to return and solicit the means of redemption. He applied to the Assembly of New-Hampshire, and after some delay obtained one hundred and fifty pounds sterling. But the season was so far advanced, and the winter proved so severe, that he did not reach Canada till the spring. He was then charged with breaking his parole; a great part of his money was taken from him by violence; and, he was shut up with his family in prison; where they took the small pox, which they happily survived. After eighteen months, the woman, with her sister, and two daughters, were sent in a cartel ship to England; and thence returned to Boston. Johnson was kept in prison three years; and then, with his son, returned and met his wife in Boston; where he had

T

the

1754.

Dec. 19.
Assembly
Records.

1754. the singular ill fortune, to be suspected of designs unfriendly to his country, and was again imprisoned ; but no evidence being produced against him, he was liberated. His eldest daughter was retained in a Canadian nunnery.

Shirley's
MS letters.

The fort and settlement at Number-four, being in an exposed situation, required assistance and support. It had been built by Massachusetts when it was supposed to be within its limits. It was projected by Colonel Stoddard, of Northampton, and was well situated, in connection with the other forts, on the western frontier, to command all the paths, by which the Indians travelled from Canada to New-England. It was now evidently in New-Hampshire ; and Shirley, by advice of his Council, applied to Wentworth, recommending the future maintenance of that post, to the care of his Assembly ; but they did not think themselves interested in its preservation, and refused to make any provision for it. The inhabitants made several applications for the same purpose ; but were uniformly disappointed. They then made pressing remonstrances to the Assembly of Massachusetts, who sent soldiers for the defence of that post, and of Fort Dunmer, till 1757 ; when they supposed that the

Massachus.
Records.

he commander in chief of the King's 1754.
 orces would take them under his care, as
 oyal garrisons. It was also recommended
 o the Assembly of New-Hampshire to
 uild a fort at Cohos; but this proposal
 et the same fate.

The next spring, three expeditions were
 ndertaken against the French forts. One 1755.
 gainst Fort Duquesne, on the Ohio, was
 onducted by General Braddock; who
 as defeated and slain. Another against
 iagara, by Governor Shirley, which mis-
 arried; and a third against Crown Point,
 y General Johnson. For this last expe-
 ition, New-Hampshire raised five hun-
 red men, and put them under the com-
 and of Col. Joseph Blanchard. The
 Governor ordered them to Connecticut riv-
 r, to build a fort at Cohos, supposing it
 o be in their way to Crown Point. They
 irst marched to Baker's-town, where they
 egan to build batteaux, and consumed
 ime and provisions to no purpose. By
 Shirley's advice they quitted that futile
 mployment, and made a fatiguing march
 hrough the woods, by the way of Num-
 er-four, to Albany. Whilst Johnson lay
 ncamped at Lake George, with his other
 orces, he posted the New-Hampshire regi-
 ent at Fort Edward. On the eighth of

1755.

Sept. 8.

September, he was attacked in his camp, by Baron Dieskau, commanding a body of French regular troops, Canadians and Savages. On the morning of that day, a scouting party from Fort Edward discovered waggons burning in the road; upon which Captain Nathaniel Folsom was ordered out, with eighty of the New-Hampshire regiment, and forty of New-York under Capt. McGennis. When they came to the place, they found the waggoners and the cattle dead; but no enemy was there. Hearing the report of guns, toward the lake, they hastened thither; and having approached within two miles, found the baggage of the French army, under the care of a guard, whom they attacked and dispersed. When the retreating army of Dieskau appeared, about four of the clock in the afternoon, Folsom posted his men among the trees, and kept up a well directed fire, till night; the enemy retired, with great loss, and he made his way to the camp, carrying his own wounded, and several French prisoners, with many of the enemy's packs. This well-timed engagement, in which but six men on our side were lost, deprived the French army of their ammunition and baggage; the remains of which were brought into camp

Folsom's
informa-
tion.

Johnson's
printed let-
ter.

camp the next day. After this, the regiment of New-Hampshire joined the army. The men were employed in scouting, which service they performed in a manner so acceptable, that no other duty was required of them. Parties of them frequently went within view of the French fort at Crown-Point; and at one time they brought off the scalp of a French soldier, whom they killed near the gate.

1755.

Atkinson's
MS letters.

After the engagement on the 8th of September, when it was found necessary to reinforce the army; a second regiment, of three hundred men, was raised in New-Hampshire, and put under the command of Col. Peter Gilman. These men were as alert, and indefatigable as their brethren, though they had not opportunity to give such convincing evidence of it. The expedition was no farther pursued; and late in autumn the forces were disbanded and returned home.

The exertions made for the reduction of Crown Point, not only failed of their object, but provoked the Indians, to execute their mischievous designs, against the frontiers of New-Hampshire; which were wholly uncovered, and exposed to their full force. Between the rivers Connecticut and St. Francis, there is a safe and easy communication

1755. communication by short carrying-places, with which they were perfectly acquainted. The Indians of that river, therefore, made frequent incursions, and returned unmolested with their prisoners and booty.

Sumner's
MS letter.

Fessenden's
MS letter.

At New-Hopkinton, they took a man and a boy ; but perceiving the approach of a scouting party, they fled and left their captives. At Keene, they took Benjamin Twitchel, and at Walpole they killed Daniel Twitchel, and a man named Flynt. At the same place Colonel Bellows, at the head of twenty men, met with a party of fifty Indians ; and having exchanged some shot, and killed several of the enemy, he broke through them and got into the fort; not one man of his company being killed or wounded. After a few days, these Indians, being joined by others to the number of one hundred and seventy, assaulted the garrison of John Kilburne, in which were himself, John Pike, two boys and several women ; who bravely defended the house and obliged the enemy to retire with considerable loss. Pike was mortally wounded. Some of these Indians joined Dieskau's army, and were in the battle at Lake George. At Number-four, they killed a large number of cattle, and cut off the flesh. At Hinsdale, they attacked a party,

erty, who were at work in the woods ; 1755.
 killed John Hardiclay and John Alexan- Gay's MS
 der, and took Jonathan Colby ; the others letter.
 escaped to the fort. Within a few days
 afterward, they ambushed Caleb Howe,
 Silsbee Grout, and Benjamin Gaffield, as
 they were returning from their labor in the
 field. Howe was killed ; Gaffield was
 wounded in attempting to cross the river ;
 and Grout made his escape. The Indians
 went directly to Bridgman's fort, where
 the families of these unfortunate men re-
 sided. They had heard the report of the
 Indians, and were impatient to learn the
 result. By the sound of feet without,
 being in the dusk of the evening, they
 concluded that their friends had returned,
 and too hastily opened the gate to receive
 them ; when to their inexpressible surprise,
 they admitted the savages, and the three
 families, consisting of fourteen persons,
 were made captives.*

July 27.

After

* One of these, the wife of Caleb Howe, was the FAIR CAPTIVE,
 whom such a brilliant account is given in the life of General Put-
 nam, published by Col. Humphreys. She is still living at Hinsdale,
 and has obliged the author with a particular narrative of her sufferings
 and deliverance. This account, drawn up by the Rev. Mr. Gay, is
 long to be here inserted, and too entertaining to be abridged ; but
 it probably be published at some future time. As to that part of the
 story, that the people of Hinsdale chose her to go to Europe, as their
 gift in a case of disputed lands ; it was never known or thought of by
 me till the life of Putnam appeared in print.

Gay's MS letter.

1756.

Shirley's
letters.

After the defeat and death of Braddock, the chief command of the operations against the enemy fell into the hands of Shirley; who called another Congress, at New-York, and planned another expedition against Crown Point; for which purpose, he called on the several governments to raise men and provide stores. A regiment was raised in New-Hampshire, the command of which was given to Col. Nathaniel Meservè. They also appointed two Commissaries, Peter Gilman and Thomas Westbrook Waldron, who resided at Albany, to take care of the stores, whilst the regiment, with the other troops, assisted in building forts and batteaux. In the midst of this campaign, Shirley was superseded by the Earl of Loudon; but the summer passed away in fruitless labor; whilst the French, by their superior alertness, besieged and took the English fort at Oswego; and the regiments of Shirley and Pepperell who garrisoned it, were sent prisoners to France. During this summer, the Indians killed Lieutenant Moses Willard, and wounded his son at Number-four; and took Josiah Foster, with his wife and two children, from Winchester. They also wounded Zebulon Stebbins, of Hinsdale, who, with Reuben Wright,

July 23.
Loudon's
MS letters.Gay, Sum-
ner and Ol-
cott's MS
letters.

Wright, discovered an ambush, and prevented the captivity of several persons for whom the Indians were lying in wait. 1756.

The foldiers of New-Hampshire were so expert, in every service which required agility, and so habituated to fatigue and danger; that, by the express desire of Lord Loudon, three ranging companies were formed of them; who continued in service during the winter as well as the summer. The command of these companies was given to Robert Rogers, John Stark, and William Stark. They were eminently useful in scouring the woods, procuring intelligence, and skirmishing with detached parties of the enemy. These companies were kept during the war, in the pay of the Crown; and after the peace, the officers were allowed half pay on the British establishment.

Lord Loudon's letters.

The next year, another Crown Point expedition was projected by Lord Loudon. The Crown was at the expense of stores and provisions, and required of the Colonies, to raise, arm, clothe, and pay their quotas of men. Another regiment was raised in New-Hampshire, of which Mesfervè was commander; who went to Halifax with part of his regiment, a body of one hundred carpenters, and the three companies

1757.

1757. companies of Rangers, to serve under Lord Loudon, whilst the other part of the regiment under Lieutenant Col. Goffe, was ordered by General Webb, who commanded at the westward, in the absence of the Earl of Loudon, to rendezvous at Number-four. Before their arrival, a large party of French and Indians attacked the mills in that place, and took Sampson Colefax, David Farnsworth and Thomas Adams. Oleott's MS letter. The inhabitants, hearing the guns, advanced to the mills; but finding the enemy in force, prudently retreated. The enemy burned the mills; and in their retreat, took two other men, who were coming in from hunting, viz. Thomas Robins and Asa Spafford. Farnsworth and Robins returned; the others died in Canada.

Goffe with his men marched through Number-four and joined General Webb at Albany; who posted them at fort William Henry, near Lake George, under the command of Col. Munroe, of the thirty-fifth British regiment. The French General Montcalm, at the head of a large body of Canadians and Indians, with a train of artillery, invested this fort; and in six days, the garrison, after having expended all their ammunition, capitulated; on condition, that

Aug. 3.

Aug. 9.

it they should not serve against the
 French for eighteen months. They were
 owed the honors of war, and were to be
 escorted by the French troops to Fort Ed-
 ward, with their private baggage. The
 Indians, who served in this expedition, *on*
promise of plunder, were enraged at the
 terms granted to the garrison; and, as
 they marched out unarmed, fell upon them,
 stripped them naked, and murdered all
 who made any resistance. The New-
 Hampshire regiment happening to be in
 the rear, felt the chief fury of the enemy.
 Of two hundred, eighty were killed
 taken.

N. Hamp-
 shire Ga-
 No. 49.

This melancholy event threw the whole
 country into the deepest consternation.
 Webb, who remained at Fort Edward, ex-
 pecting to be there attacked, sent expresses to
 the Provinces for reinforcements. The
 Indians, however, did not pursue their ad-
 vantage, but returned to Canada. A re-
 inforcement of two hundred and fifty men
 raised in New-Hampshire, under the
 command of Major Thomas Tash; which,
 by the orders of General Webb, was sta-
 tioned at Number-four. This was the
 time that the troops of New-Hamp-
 shire occupied that important post.

MS letters
 of Gover-
 nor Went-
 worth.

Hitherto

1757. Hitherto the war had been, on our part, unsuccessful. The great expense, the frequent disappointments, the loss of men, of forts, and of stores, were very discouraging. The enemy's country was filled with prisoners, and scalps, private plunder, and public stores and provisions, which our people, as beasts of burden, had conveyed to them. These reflections were the dismal entertainment of the winter. The next spring called for fresh exertions; and happily for America, the British ministry had been changed, and the direction of the war, in answer to the united voice of the people of England, was put into the hands of that decisive statesman WILLIAM PITT.

1758. In his circular letter to the American Governors, he assured them; that to repair the losses and disappointments of the last inactive campaign, it was determined to send a formidable force, to operate by sea and land, against the French in America; and he called upon them to raise 'as large bodies of men, within their respective governments, as the number of inhabitants might allow;' leaving it to them, to form the regiments and to appoint officers at their discretion. He informed them that arms, ammunition, tents, provisions, and boats would

Original
MS.

would be furnished by the Crown; and he required the Colonies to levy, clothe and pay their men; assuring them that recommendations would be made to Parliament 'to grant them a compensation.'

1758.

Notwithstanding their former losses and disappointments, the Assembly of New-Hampshire, on receiving this requisition, cheerfully voted eight hundred men for the service of the year. The regiment commanded by Col. John Hart, marched to the westward, and served under General Abercrombie. A body of one hundred and eight carpenters, under the conduct of Col. Messervè, embarked for Louisbourg, to serve at the second siege of that fortress, under General Amherst. Unhappily the small pox broke out among them, which disabled them from service; all but sixteen were seized at once, and these attended the sick. Messervè* and his eldest son died of this fatal disorder. This year was remarkable for the second surrender of Louisbourg; the unfortunate attack on the lines of Ticonderoga, where Lord

Governor's
Proclamation,
April 1.

Amherst's
printed
journal,
June 28.

Howe

* Colonel Messervè, was a gentleman of a fine mechanical genius. Being a shipwright by profession, he attained to eminence in his business, and acquired a handsome fortune. His moral and social character was unblemished, and, in the military line, he was highly respected. The Earl of Loudon had such a sense of his merit, as to present him a piece of plate, with an inscription, acknowledging 'his capacity, fidelity, and ready disposition, in the service of his country.'

New-Hampshire Gazette, No. 97.

1758. Howe was killed; the taking of
renac by Col. Bradstreet, and
tion of fort du Quesne on
contention for which, beg

In the course of this
continued to infest
Hindale, they killed C
tion, took his family,

5. 1758 and
Oleum's
to 8 letters.

At Number-four,
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and a soldier.

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In their retreat, they wei

and lost seven men. They kep

for about ten days, passing on

side of lake Memfrimagog, and

tered. Some found their way

ber-four, after having suffered

who, with the French General Montcalm, 1759.
was slain in the decisive battle. }

When the British arms had obtained a decided superiority over the French, it was determined to chastise the Indians who had committed so many devastations on the frontiers of New-England. Major Robert Rogers was dispatched from Crown Point, by General Amherst, with about two hundred rangers, to destroy the Indian village of St. Francis. After a fatiguing march of twenty-one days, he came within sight of the place, which he discovered from the top of a tree, and halted his men at the distance of three miles. In the evening, he entered the village in disguise with two of his officers. The Indians were engaged in a grand dance, and he passed through them undiscovered. Having formed his men into parties, and posted them to advantage; he made a general assault, just before day, whilst the Indians were asleep. They were so completely surprised that little resistance could be made. Some were killed in their houses; and of those who attempted to flee, many were shot or tomahawked by parties placed at the avenues. The dawn of day disclosed a horrid scene; and an edge was given to the fury of the assailants by the
fight

Sept. 13.

Oct. 3.
N. Hamp-
shire Ga-
zette, No.
165.

1759. fight of several hundred scalps of their countrymen, elevated on poles, and waving in the air. This village had been enriched with the plunder of the frontiers and the sale of captives. The houses were well furnished, and the church was adorned with plate. The suddenness of the attack, and the fear of a pursuit, did not allow much time for pillage ; but the rangers brought off such things as were most convenient for transportation ; among which were about two hundred guineas in money, a silver image weighing ten pounds, a large quantity of wampum and clothing. Having set fire to the village, Rogers made his retreat up the river St. Francis, intending that his men should rendezvous at the upper Cohos, on Connecticut river. They took with them five English prisoners, whom they found at St. Francis, and about twenty Indians ; but these last they dismissed. Of the rangers, one man only was killed ; and six or seven were wounded. In their retreat, they were pursued, and lost seven men. They kept in a body for about ten days, passing on the eastern side of lake Memfrimagog, and then scattered. Some found their way to Number-four, after having suffered much by hunger

hunger and fatigue. Others perished in the woods, and their bones were found near Connecticut river, by the people, who after several years began plantations at the upper Cohos. 1759. ~

After the taking of Quebec, the remainder of the season was too short to complete the reduction of Canada. The next summer General Amherst made preparations to approach Montreal, by three different routes; intending, with equal prudence and humanity, to finish the conquest, without the effusion of blood. For the service of this year, eight hundred men were raised in New-Hampshire, and put under the command of Col. John Goffe. They marched, as usual, to Number-four; but instead of taking the old route, to Albany, they cut a road* through the woods, directly toward Crown Point. In this work they made such dispatch, as to join that part of the army which Amherst had left at Crown Point, twelve days before their embarkation. They proceeded 1760. ~

July 31.

Aug. 11.

* This new road began at Wentworth's ferry, two miles above the fort at No. 4, and was cut 26 miles; at the end of which, they found a path, made the year before; in which they passed over the mountains, to Otter Creek; where they found a good road, which led to Crown Point. Their stores were brought in waggons, as far as the 26 miles extended; and then transported on horses over the mountains. A drove of cattle for the supply of the army went from No. 4, by this route, to Crown Point.

1760. proceeded down the lake, under the command of Col. Haviland. The enemy made some resistance at Isle au Noix, which stopped their progress for some days, and a few men were lost on both sides. But this post being deserted, the forts of St. John and Chamblee became an easy conquest, and finally Montreal capitulated. This event finished the campaign, and crowned Amherst with deserved laurels.

Macclintock's MS journal.

Sept. 8.

Whilst the New-Hampshire regiment was employed in cutting the new road ; signs of hovering Indians were frequently discovered, though none were actually seen. But they took the family of Joseph Willard, from Number-four, and carried them into Montreal, just before it was invested by the British army.

Olcott's MS letter.

The conquest of Canada, gave peace to the frontiers of New-Hampshire, after a turbulent scene of fifteen years ; in which, with very little intermission, they had been distressed by the enemy. Many captives returned to their homes ; and friends who had long been separated, embraced each other in peace. The joy was heightened by this consideration, that the country of Canada, being subdued, could no longer be a source of terror and distress.

The

The expense of this war, was paid by paper currency. Though an act of Parliament was passed in 1751, prohibiting the Governors, from giving their assent to bills of Assembly, made for such a purpose; yet, by a proviso, extraordinary emergencies were excepted. Governor Wentworth was slow to take advantage of this proviso, and construed the act in a more rigid sense than others; but his friend Shirley helped him out of his difficulties. In 1755 paper bills were issued under the denomination of new tenor; of which, fifteen shillings were equal in value to one dollar. Of this currency, the soldiers were promised thirteen pounds ten shillings per month; but it depreciated so much in the course of the year, that in the muster rolls, their pay was made up to fifteen pounds. In 1756 there was another emission from the same plates, and their pay was eighteen pounds. In 1757, it was twenty-five pounds. In 1758, they had twenty-seven shillings sterling. In the three succeeding years, they had thirty shillings sterling, besides a bounty at the time of their enlistment, equal to one month's pay. At length sterling money became the standard of all contracts; and though the paper continued passing

Atkinson's
MS letters.

1760. passing as a currency, its value was related by the price of silver, and the coin of exchange.

It ought to be remembered as a sign of favor of divine Providence; that during this war, the seasons were fruitful, the Colonies were able to supply their troops with provisions, and the British fleets and armies with refreshments of every kind which they needed. No sooner were the operations of the war in the northern Colonies closed, than two years of scarcity succeeded; (1761 and 1762) which the drought of summer was so severe, as to cut short the crops, and render supplies from abroad absolutely necessary. Had this calamity attended the preceding years of the war, distress must have been extreme, both at home and in the camp. During the drought of 1761, a fire raged in the woods in the towns of Barrington and Rochester, and passed over into the county of York, burning with irresistible fury for several weeks, and was not extinguished till a plentiful rain fell, in August. An immense quantity of the best timber was destroyed by this conflagration.

For the succeeding part of the war, a smaller body of men was required to

the new conquests ; whilst the British troops were employed in the West India Islands. The success which attended operations in that quarter, brought war to a conclusion ; and by the treaty of peace, though many of the conquered provinces were restored, yet, the whole continent of North America remained to the British Crown, and the Colonies received a reimbursement of their expen-

1762.

the war being closed, a large and valuable tract of country, situated between New-England, New-York and Canada, secured to the British dominions ; and became the interest of the Governors of the royal Provinces of New-Hampshire and New-York, to vie with each other in granting this territory and regulating the emoluments arising from this new branch of their respective offices. Seeds of a controversy on this subject were already sown. During the short interval which followed the preceding war, John Wentworth wrote to Governor Pownall, that he had it in command from the King, to grant the unimproved lands in his government ; that the war had retarded that progress, which he had hoped in this business ; but that the peace

1749.

Nov. 17.

Council minutes.

1749. had induced many people, to apply for grants in the western parts of New-Hampshire, which might fall in the neighborhood of New-York. He communicated to him a paragraph of his commission describing the bounds of New-Hampshire and requested of him a description of the bounds of New-York. Before he received any answer to this letter; Wentworth presuming that New-Hampshire would extend as far westward as Massachusetts that is to the distance of twenty miles from Hudson's river, granted a town of six miles square, called Bennington; which was about twenty-four miles east of Hudson's river, and six miles north of the Massachusetts. Clinton having laid down his letter before the Council of New-York; by their advice answered him that the Province of New-York was bounded easterly by Connecticut river. This was founded on a grant of King Charles the second; in which, 'all the land lying on the west side of Connecticut river and on the east side of Delaware bay,' was conveyed to his brother James, Duke of York; by whose elevation to the throne the same tract merged in the crown of England, and descended at the Revolution to King William and his successors.


N. York
printed
narrative.
Appendix,
No. 3.

N. Hampshire
book
of Characters,


The Province of New-York had formerly urged this claim against the Colony of Connecticut; but for prudential reasons had conceded that the bounds of that Colony should extend, as far as a line drawn twenty miles east of Hudson's river. The like extent was demanded by Massachusetts; and, though New-York affected to call this demand 'an intrusion,' and strenuously urged their right to extend eastward to Connecticut river; yet the original grant of Massachusetts, being prior to that of the Duke of York, was a barrier which could not easily be broken. These reasons, however, it was said, could be of no avail to the cause of New-Hampshire, whose first limits, as described in Mason's patent, did not reach to Connecticut river; and whose late extent, by the settlement of the lines in 1741, was no farther westward than 'till it meets with the King's other governments.' Though it was agreed, between the two Governors, to submit the point in controversy to the King; yet the Governor of New-Hampshire, continued to make grants, on the western side of Connecticut river, till 1754; when the renewal of hostilities not only put a stop to applications; but pre-

1754.  vented any determination of the controversy by the Crown.

During the war, the continual passing of troops through those lands, caused the value of them to be more generally known; and, when by the conquest of Canada, tranquillity was restored, they were eagerly sought by adventurers and speculators. Wentworth availed himself of this golden opportunity, and by advice of his Council, ordered a survey to be made of Connecticut river for sixty miles, and three

1761.  lines of townships on each side, to be laid out. As applications increased, the surveys were extended. Townships of six miles square were granted to various petitioners; and so rapidly did this work go on, that during the year 1761, not less than sixty townships were granted on the west, and eighteen on the east side of the river. Besides the fees and presents for these grants, which were undefined; a reservation was made for the Governor, of five hundred acres in each township; and of lots for public purposes. These

Atkinson's
MS.


1763.  charges. The whole number of grants on the western side of the river, amounted to one hundred and thirty-eight; and their extent was from Connecticut river

to

twenty miles east of the Hudson, as far
 that river extended northerly ; and af- 1763.
 r that, westward to Lake Champlain.
 he rapid progress of these grants filled
 ie coffers of the Governor. Those who
 ad obtained the grants were seeking pur-
 asers in all the neighbouring Colonies ;
 hilst the original inhabitants of New-
 ampshire, to whom these lands had for-
 erly been promised, as a reward for their
 erit in defending the country, were over-
 oked in the distribution ; unless they
 re disposed to apply in the same man-
 r, as persons from abroad ; or unless
 ey happened to be in favor. When re-
 onstrances were made to the Governor
 this subject, his answer was, that the
 ople of the old towns had been formerly
 complimented with grants in Chichester,
 urnsted and Gilmantown, which they
 ad neglected to improve ; and that the
 w grantees were better husbandmen
 ad would promote the cultivation of the
 rovince.

Informa-
 tion of the
 late P. Gil-
 man and
 M. W Carey

The passion for occupying new lands
 le to a great height. These tracts were
 led with emigrants from Massachusetts
 ad Connecticut. Population and culti-
 ation began to increase with a rapidity
 ither to unknown ; and from this time
 may

1763.  may be dated the flourishing state of New-Hampshire ; which before had been circumscribed and stunted in its growth, by the continual danger of a savage enemy.

Ethan Allen's narrative 1774 page 1.

The grants on the western side of Connecticut river, alarmed the government of New-York ; who, by their agent, made application to the Crown, representing ' that it would be greatly to the advantage ' of *the people* settled on those lands, to be ' annexed to New-York ; ' and submitting the cause to the royal decision. In the mean time, a proclamation was issued by Lieutenant Governor Colden, reciting the grant of King Charles to the Duke of York ; asserting the jurisdiction of New-York as far eastward as Connecticut river ; and enjoining the Sheriff of the County of Albany, to return the names of all persons, who, under color of the New-Hampshire grants, held possession of lands westward of that river. This was answered by a proclamation of Governor Wentworth, declaring the grant to the Duke of York to be obsolete, and that the western bounds of New-Hampshire were co-extensive with those of Massachusetts and Connecticut ; encouraging the grantees to maintain their possessions, and cultivate their lands ; and commanding civil officers

1764. 
March 13.

cers to execute the laws and punish disturbers of the peace. 1764

The application from New-York was referred to the Board of Trade; and upon their representation, seconded by a report of a committee of the privy council, an order was passed, by the King in Council; declaring 'the western banks of Connecticut river, from where it enters the Province of Massachusetts Bay, as far north as the forty-fifth degree of latitude, TO BE the boundary line, between the two Provinces of New-Hampshire and New-York.'

July 20.
Original
MS.

This decree, like many other judicial determinations, while it closed one controversy, opened another. The jurisdiction of the Governor of New-Hampshire, and his power of granting land, were circumscribed by the western bank of Connecticut river; but the grantees of the soil, found themselves involved in a dispute with the government of New-York. From the words TO BE, in the royal declaration, two very opposite conclusions were drawn. The government supposed them to refer to the time past, and construed them as a declaration that the river always *had been* the eastern limits of New-York; consequently, that the grants made by the Governor

964. Governor of New-Hampshire, were invalid, and that the lands might be granted again. The grantees understood the words in the future tense, as declaring Connecticut river from that time *to be* the line of jurisdiction only, between the two provinces; consequently that their grants, being derived from the Crown, through the medium of one of its Governors, were valid. To the jurisdiction, they would have quietly submitted, had no attempt been made to wrest from them their possessions. These opposite opinions, proved a source of litigation for ten succeeding years; but, as this controversy belongs to the history of New-York, it is dismissed, with one remark only. That though it was carried on with a degree of virulence, unfriendly to the progress of civilization and humanity, within the disputed territory; yet it called into action, a spirit of vigorous self defence, and hardy enterprise, which prepared the nerves of that people for encountering the dangers of a revolution, more extensive and beneficial.

C H A P.

C H A P. XXIII.

Beginning of the controversy with Great-Britain. Stamp act. Resignation of BENNING WENTWORTH.

FROM the earliest establishment of the American Colonies, a jealousy of their independence had existed among the people of Great-Britain. At first, this apprehension was perhaps no more than a conjecture founded on the vicissitude of human affairs, or on their knowledge of those emigrants who came away from England, disgusted with the abusive treatment which they had endured at home. But from whatever cause it arose, it was strengthened by age; and the conduct of the British government toward America, was frequently influenced by it. In the reign of James the first, ‘speculative reasoners raised objections to the planting of these Colonies; and foretold, that after draining the mother country of inhabitants, they would shake off her yoke and erect an independent government.’ Some traces of this jealousy appeared in every succeeding reign, not excepting that of William, whom America, as well as Britain,

Hume.

See vol 1.
page 309.

Britain, was proud to style 'our great deliverer.' But it became most evident, and began to produce its most pernicious effects, at a time when there was the least reason for indulging the idea.

During the administration of PITT, a liberal kind of policy had been adopted toward the Colonies ; which being crowned with success, had attached us* more firmly than ever, to the kingdom of Britain. We were proud of our connexion with a nation whose flag was triumphant in every quarter of the globe ; and by whose assistance we had been delivered from the danger of our most formidable enemies, the French in Canada. The accession of George the third, at this critical and important era, was celebrated here, with as true zeal and loyalty, as in any part of his dominions. We were fond of repeating every plaudit, which the ardent affection of the British nation bestowed on a young monarch, rising to the throne of his ancestors, and professing to 'glory in the name of Briton.' At such a time, nothing could have been more easy, than by pursuing the system of commercial regulation,

1760.

* Though it may be accounted a deviation from the proper style of history, for the author to speak in the first person ; yet he hopes to be excused in expressing the feelings of an American, whilst he relates the history of his own time, and his own country.

ion, already established, and continuing the indulgencies which had been allowed, to have drawn the whole profit of labor and trade, into the hands of British merchants and manufacturers. This would have prevented a spirit of enterprise in the Colonies, and kept us in complete subjection and dependence, the most sanguine friend of the British could have wished.

We had, among ourselves, a set of men, ambitious of perpetuating the rank of their families, were privately seeking the establishment of an *American Nobility*—out of which, an intermediate branch of legislation, between the royal and democratic powers, should be appointed. These were drawn, and presented to the British ministry, for new modelling our governments, and reducing their powers; lest the authority of Parliament should be rendered absolute and imperial. The British gentlemen of Britain, who had resided here in the war, and on whom, a shower of grateful attention had been bestowed, carried home reports of our wealth; whilst the sons of our merchants and planters, who went to England for education, exhibited specimens of indigence which confirmed the idea.

During

1763.

Bernard's
select letters.

Oliver's
letters.

1763. During the war, there had been a great influx of money; and at the conclusion of it, British goods were largely imported; by which means, the cash went back again with a rapid circulation.

History of
the minor-
ity, 1765,
page 286.

Bernard's
select let-
ters.

In no age, perhaps, excepting that in which Rome lost her liberty, was the spirit of venality and corruption so prevalent as at this time, in Britain. Exhausted by a long war, and disgraced by a peace which deprived her of her most valuable conquests, the national supplies were inadequate to the continual drain of the exchequer. A new ministry, raised on the ruin of that by which America was conquered and secured, looked to this country as a source of revenue. But, neglecting the 'principles of law and polity, which had been early suggested to them by an officious correspondent; and by which they might have gradually and silently extended their system of corruption into America; they planned measures by which they supposed an addition to the revenues of Britain might be drawn from America; and the pretence was, 'to defray the expenses of protecting, defending and securing it.' The fallacy of this pretence was easily seen. If we had not done our part toward the protection

tion and defence of our country, why were our expenditures reimbursed by Parliament? The truth is, that during the whole war, we had exerted ourselves beyond our ability; relying on a promise from a Secretary of State, that it should be recommended to Parliament to make us compensation. It was recommended; the compensation was honorably granted, and gratefully received. The idea of drawing that money from us again by taxes to repay the charges of our former defence, was unjust and inconsistent. If the new conquests needed protection or defence, those who reaped the gain of their commerce, or enjoyed the benefit of grants and offices within those territories, might be required to contribute their aid. Notwithstanding this pretext, it was our opinion, that the grand object was to provide for dependents, and to extend the corrupt and venal principle of crown influence, through every part of the British dominions. However artfully it was thrown out, that the revenue to be drawn from us would ease the taxes of our brethren in Britain, or diminish the load of national debt; it was not easy for us to believe that the ministry had either of these objects sincerely in contemplation. But

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if

1763. if it had been ever so equitable that we should contribute to discharge the debt of the nation, incurred by the preceding war; we supposed that the monopoly and control of our commerce, which Britain enjoyed, was a full equivalent for all the advantages, which we reaped from our political connexion with her.

N. Hampshire Gazette, May 27.

The same gazette, which contained the definitive treaty of peace, announced the intentions of the British ministry to quarter troops in America, and support them at our expense. The money was to be raised by a duty on foreign sugar and molasses, and by stamps on all papers legal and mercantile. These intentions were at first thrown out in the form of resolves, and afterward digested into acts of Parliament. The first of these acts, restricting the intercourse which the American Colonies had enjoyed with the West-India islands, caused a general uneasiness and suspicion, but was viewed as a regulation of trade, and was submitted to, though with reluctance. The effect of this act was to call forth a spirit of frugality, particularly in the introduction of a less expensive mode of conducting funerals. Petitions and remonstrances were sent to England by some of the Colonies; but instead

1764.

instead of any redress, a new act of Parliament was made for raising a revenue by a general stamp duty through all the American Colonies. The true friends of constitutional liberty now saw their dearest interests in danger ; from an assumption of power in the parent state to give and grant the property of the colonists at their pleasure. Even those who had been seeking alterations in the colonial governments, and an establishment of hereditary honors, plainly saw that the ministry were desirous of plucking the fruit, before they had grafted the stock on which it must grow. To render the new act less odious to us, some of our fellow citizens were appointed to distribute the stamped paper, which was prepared in England and brought over in bales. The framers of the act boasted that it was so contrived as to execute itself ; because no writing could be deemed legal without the stamp ; and all controversies which might arise, were to be determined in the Courts of Admiralty, by a single judge, entirely dependent on the Crown.

Bernard's
select letters.

This direct and violent attack on our dearest privileges at first threw us into a silent gloom ; and we were at a loss how to proceed. To submit, was to rivet the

W 2

shackles

1765. shackles of slavery on ourselves and our posterity. To revolt, was to render the most endearing connection, and hazard the resentment of a powerful nation. In this dilemma, the **House of Burgesses** in Virginia, passed some spirited resolves, asserting the rights of their country, and denying the claim of parliamentary taxation. The **Assembly of Massachusetts** proposed a Congress of Deputies from each Colony, to consult upon the common interest, as had frequently been practised in times of common danger. Several speeches made in Parliament by opposers of the stamp-act were repeated here; in one of which the Americans were styled 'Sons of liberty,' and the speaker ventured, from his personal knowledge of this country, to foretel our opposition to the act.

Col. Barré.

The spirit of the Virginian resolves like an electric spark, diffused itself instantly and universally; and the cautious proposal of Massachusetts was generally approved. The anxious mind, resting on the bold assertion of constitutional rights, looked forward with pleasure, to the time when an American Congress would unite in a successful defence of them. The title 'Sons of liberty,' was eagerly adopted by associations

associations in every Colony; determining to carry into execution the prediction of him, who with such noble energy, had espoused the cause of our freedom. They began the opposition at Boston; by publicly exhibiting effigies of the enemies of America, and obliging the stamp-officer to resign his employment. The popular commotions in that town were afterward carried to an unjustifiable excess; but the spirit of opposition animated the body of the people in every Colony. 1765.

The person appointed distributor of stamps for New-Hampshire, was George Messervè, son of the late Colonel, who died at Louisbourg. He received his appointment in England, and soon after embarked for America, and arrived at Boston. Before he landed, he was informed of the opposition which was making to the act; and that it would be acceptable to the people if he would resign, which he readily did, and they welcomed him on shore. An exhibition of effigies at Portsmouth had prepared the minds of the people there for his reception; and at his coming to town he made a second resignation, on the parade, before he went to his own house. This was accepted with the usual salutation; and every one appeared to be satisfied with the success of the popular measures. Sept. 9.

Sept. 12.

Sept. 18.

Sept. 30.

measures. Soon after, the stamped paper destined for New-Hampshire arrived at Boston in the same vessel with that intended for Massachusetts ; but there being no person in either Province who had any concern with it, it was, by order of Governor Bernard, lodged in the castle.

The stamp-act was to commence its operation on the first day of November; previously to which the appointed Congress was formed at New-York, consisting of delegates from the Assemblies of Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, the Delaware Counties, Maryland and South-Carolina. Having, like the Congress at Albany in 1754, formed themselves in geographical order; they framed a bill of rights, for the Colonies; in which the sole power of taxation was declared to be in their own assemblies. They prepared three distinct addresses to the King, Lords and Commons, stating their grievances, and asking for redress. These were subscribed by the delegates of six Colonies; the others who were present were not empowered to sign; but reported their proceedings to their constituents, who approved them in Assembly, and forwarded their petitions. No delegates went from New-Hampshire to this Congress; but
the

the Assembly at their next meeting adopted the same measures, and sent similar petitions to England, which they committed to Barlow Trecothick, their agent, and John Wentworth, a young gentleman of Portsmouth, who was then in England, to be by them presented to the King and Parliament. These measures were the most respectful and prudent which could be devised; and were attended with some prospect of success from a change which had been made in the British ministry.

In the mean time, the newspapers were filled with essays, in which every plea for and against the new duties was amply discussed. These vehicles of intelligence were doomed to be loaded with a stamp; and the printers felt themselves interested in the opposition. On the last day of October, the New-Hampshire Gazette appeared with a mourning border. A body of people from the country approached the town of Portsmouth, under an apprehension that the stamps would be distributed; but being met, by a number from the town, and assured that no such thing was intended, they quietly returned. The next day, the bells tolled, and a funeral procession was made for the Goddess of Liberty; but on depositing her in the

1765.

Assembly
Records.

Nov. 1.

HISTORY OF

some signs of life were supposed to be discovered, and she was carried off in triumph. By such exhibitions, the spirit of the populace was kept up; though the minds of the most thoughtful persons were filled with anxiety. It was doubtful, whether the Courts of Justice could proceed without stamps; and it was certain that they could be procured. Licentious persons began to think that they could be recovered, and they threatened their creditors with ruin. The first appearance of the spirit of associations were seen at Portsmouth, Exeter and other places, to support the Magistrates and preserve the peace. The fifth of November had always been observed as a day of hilarity, in remembrance of the powder-plot. On the following night, a strong guard was kept in Portsmouth. By these precautions, the tendency to riot was reasonably checked, and no waste of property or personal insult was committed, though some obnoxious characters began to tremble for their safety. When Messervè arrived, the people supposed that he had brought his commission with him, and were content that it should remain in his own hands, being rendered void.

void by his resignation. But, in fact, he did not receive it till after the time fixed for the operation of the act. Having shown his instructions to the Governor, and some other public officers, it was suspected that he intended 'to commence the execution of his office.' The sons of liberty were alarmed; they assembled by beat of drum, and obliged him publicly to deliver up his commission and instructions; which they mounted on the point of a sword, and carried in triumph through the town. An oath was administered to him by Justice Claget, purporting that he would neither directly nor indirectly attempt to execute his office. The master of a ship, then ready to sail for England, was also sworn to deliver the packet containing the commission and instructions, as it was directed. It was first addressed to the Commissioners of the stamp-office in London; but afterward it was enclosed in a letter to the agents of the Province, referring the disposal of it to their discretion. It happened to arrive, when great exertions were making, and a strong probability existed, of the repeal of the stamp-act. The agents therefore concealed the packet, and had the good fortune to suppress the intelligence of all these

1765.

1766.

Jan. 9.

1766. these proceedings; that no irritation might ensue to prevent the expected repeal.

During all these commotions, Governor Wentworth was silent. The ministry, either by accident or design, had neglected to send authentic copies of the stamp-act, to some of the American Governors, and to him among others. There had been no tumults, which rendered his interposition necessary. He was in the decline of life, and his health was much impaired. His fortune was made, and it lay chiefly in his native country. One of the reasons given, for the removal of his predecessor, was, that he had enjoyed his office ten years; Mr. Wentworth had been twenty-five years in the chair, and expected soon to be superseded. It was therefore his interest, not to put himself forward in support of unpopular measures. His example was followed by most of the gentlemen in the Province, who held offices under the Crown. If any of them were secretly in favor of the act, they were restrained by fear, from contradicting openly the voice of the people. The popular spirit was sufficiently roused to join in any measures which might be necessary for the defence of liberty.

All

All fear of the consequence of proceeding in the public business without stamps, was gradually laid aside. The courts of law, and custom houses were kept open, Newspapers circulated, and licenses for marriage, without stamps, were publicly advertised. As it was uncertain, what might be the event of the petitions to the King and Parliament, it was thought best, to awaken the attention of the merchants and manufacturers of England, by an agreement to import no goods, until the stamp-act should be repealed. To provide for the worst, an association was formed by the 'sons of liberty' in all the northern Colonies, to stand by each other, and unite their whole force, for the protection and relief of any who might be in danger, from the operation of this, or any other oppressive act. The letters which passed between them, on this occasion, are replete with expressions of loyalty and affection to the King, his person, family and authority. Had there been any disaffection to the royal government, or desire to shake off our allegiance, where would the evidence of it be more likely to be found, than in letters which passed between bodies of men, who were avowedly endeavoring, to form an union, to resist the

1766.

MS letters
of the sons
of liberty.

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purped authority of the British Lords Commons ?*

The idea which we entertained of our political connexion with the British empire, was, that the King was its supreme head; that every branch of it was a part of the State, competent to its own internal administration, but subject to the control and direction of the Crown; that taxation and representation were correlative, and that no part of the empire could be governed by its own Representatives exclusively. For as to the general principle, it was conceded, that the Parliament of Great-Britain, representing the first and most powerful branch of the empire, might regulate the exterior commerce of the whole. In Britain, the American governments were considered as corporations, existing by the pleasure of the King and Parliament, who had a right to alter or dissolve them. Our laws were deemed bye-laws; and we were supposed to be, in all cases of legislation and taxation,

* From an intimate acquaintance with many persons, of all ranks, who were instrumental of conducting the American revolution, through all its stages; and from a perusal of many of their confidential letters, the author of these sheets is fully satisfied, that the public professions of loyalty, made by his countrymen, were sincere; and that the most determined opposers of the claims of Parliament, were very far from desiring a disunion of the British empire, till they were driven to it by necessity.

taxation, subject to the supreme, undefined power of the British Parliament. Between claims so widely different, there was no arbitrator to decide. Temporary expedients, if wisely applied, might have preserved peace; but the most delicate and judicious management was necessary, to prevent irritation.

When the commotions which had happened in America, were known in England, a circular letter was written to the several governors, by Secretary Conway, in which it was *'hoped* that the resistance 'to the authority of the mother country, 'had only found place among the lower 'and more ignorant of the people.' To the constitutional authority (as we understood it) of the King and Parliament, there had been no resistance; but to the assumed authority, of our fellow subjects in Britain, over our property, the resistance began, and was supported by the Representatives of the people, in their Assemblies. Those who appeared under the name of 'the sons of liberty' were chiefly tradesmen of reputation, who were occasionally assisted by lawyers, clergymen, and other persons of literary abilities. The writings of Sydney and Locke were produced, in evidence of the justice of our claims;

1766.

Oa. 24.
1765.

1766. claims; and the arguments which had formerly been used in England, against the usurpations of the house of Stuart, were adopted and repeated by us, in favor of our rights and liberties. Political inquiries were encouraged, and the eyes of the people were opened. Never was a sentiment more generally adopted, on the fullest conviction, than that we could be constitutionally taxed by none but our own Representatives; and that all assumption of this power, by any other body of men, was usurpation which might be lawfully resisted.

The petitions of the American Assemblies, enforced by the agreement for non-importation, and aided by the exertions of the British merchants and manufacturers, induced the new ministry to recommend to Parliament, a repeal of the odious stamp-act. It was accordingly repealed; not on the true principle of its repugnancy to the rights of America; but on that of political expediency. Even on this principle, the repeal could be obtained by no other means; than by passing, at the same time, a declaratory act, asserting the right and power, of the British Parliament, 'to *bind* America, in 'all cases' whatsoever,' and annulling all the

the resolutions of our Assemblies, in which they had claimed the right of exemption from Parliamentary taxation. 1766.

The rejoicings which were occasioned by the repeal of the stamp-act, in this country, were extravagantly disproportioned to the object. We felt a transient relief from an intolerable burden; but the claim of sovereign power, in our fellow subjects, to take our property, and abridge our liberty at their pleasure, was established by law. Our only hope was, that they would profit by their recent experience; and whilst they enjoyed the pride of seeing their claim exist on paper, would suspend the exercise of it in future.

With the repealing and declaratory acts, a circular letter came from Secretary Conway; in which, 'the lenity and tenderness, the moderation and forbearance of the Parliament toward the Colonies' were celebrated in the language of panegyric, and we were called upon, to show our 'respectful gratitude and cheerful obedience,' in return for such a 'signal display of indulgence and affection.' This letter enclosed a resolution of Parliament, that those persons who had 'suffered any injury or damage,' in consequence of their assisting to 'execute the late

HISTORY OF

the act, ought to be compensated, by the Colonies, in which such injuries were sustained.

June 25.

When Governor Wentworth laid this before the Assembly, he told them with pleasure and satisfaction, that he did *no* requisition of this kind to make. *He* however applied to the Assem-

a compensation for the *and* he had suffered. A *he* appointed to inquire into *the* petition, reported, that he had suffered no real damage either in person or property; but that when any danger had been expected, guards had been appointed to protect him. Upon this report, his petition was dismissed. He afterward went to England and obtained the office of Collector of the the Customs.


At this session, the Assembly prepared a respectful address to the King and both Houses of Parliament, on account of the repeal; which was sent to England, at the same time that the stamped paper and parchment, which had been deposited at castle in Boston, were returned.

Complaints had been made in England against some of the American Governors, and other public officers, that exorbitant fees

had been taken for the passing of patents for land; and a proclamation had been issued by the Crown and published in the Colonies, threatening such persons with a removal from office. Governor Wentworth was involved in this charge. He had also been accused of negligence in responding with the King's ministers; informality and want of accuracy in his grants of land; and of passing acts of assembly respecting private property, without a suspending clause 'till his Majesty's pleasure could be known.' In his office of Surveyor-General he had been charged with neglect of duty, and with indulging his deputies in felling and wasting the King's timber. By whom these complaints were made, and by what evidence they were supported, I have not been able to discover. Certain it is, that such an impression was made on the minds of the ministry, that a resolution was taken to remove him; but the difficulties attending the stamp-act, caused a delay in the appointment of a successor. When the ferment had subsided, the attention of the ministry was turned to this object. JOHN WENTWORTH, son of Mark Hunking Wentworth, and nephew of the Governor, was then in England. He had ap-

1766.

New-
Hampshire
Gazette,
August 29,
1764.

1766.  peared at Court, as a joint agent with Mr. Trecothick in presenting the petition of the Province against the stamp-act. He had become acquainted with several families of high rank and of his own name, in Yorkshire, and in particular with the Marquis of Rockingham, then at the head of the ministry. By his indulgence, Mr. Wentworth prevailed to soften the rigor of government against his uncle. Instead of being censured and removed from office, he was allowed opportunity to *resign*, and the appearance of resigning in favor of his nephew, who was destined by the Marquis, to be his successor. Having received his commissions, as Governor of New-Hampshire, and Surveyor of the King's woods in North America, Mr. Wentworth sailed from England, and arrived at Charlestown, in South-Carolina. Thence he travelled through the continent, registering his commission of Surveyor in each of the Colonies, and was received at Portsmouth, with every mark of respect and affection. This appointment, made by a popular ministry, was peculiarly grateful to the people of New-Hampshire, by whom Mr. Wentworth was well known and much esteemed.

August 11.

1767.

March.

June 13.

In

In addition to what has been said, of ^{1767.} the superseded Governor, it may be observed; that his natural abilities were neither brilliant nor contemptible. As a private gentleman he was obliging, and as a merchant honorable. He was generous and hospitable to his friends; but his passions were strong and his resentments lasting. He was subject to frequent and long continued visits of the gout; a distemper rather unfriendly to the virtue of patience. In his deportment there was an appearance of haughtiness, contracted by his residence in Spain, where he learned the manners of the people of rank; as well as the maxims of their government. He thought it best that the highest offices, should be filled with men of property; and though in some instances he deviated from this principle, yet, in others, he adhered to it so closely, as to disregard more necessary qualifications.

In the former part of his administration, he was scrupulous in obeying his instructions, and inflexible in maintaining the prerogative. In conducting the operations of two successive wars, his attention to the service was very conspicuous; and he frequently received letters of thanks, from the Generals, and other of-

1767. Officers of the British troops employed in America.

He was closely attached to the interest of the church of England; and in his grants of townships, reserved a right for the society for propagating the gospel, of which he was a member. A project was formed during his administration, to establish a college in New-Hampshire. When he was applied to for a charter, he declined giving it, unless the college were put under the direction of the Bishop of London. But, when a grant was made by the Assembly, of three hundred pounds sterling, to Harvard College, where he had received his education, to repair the destruction which it had suffered by fire; he consented to the vote, and his name is inscribed on an alcove of the library, as a benefactor, in conjunction with the name of the Province.

In his appointment of civil and military officers, he was frequently governed by motives of favor, or prejudice to particular persons. When he came to the chair he found but twenty-five Justices of the Peace in the whole Province; but in the first commission which he issued, he nominated as many in the town of Portsmouth only. In the latter part of his time, appointments of this kind became so numerous

rous, and were so easily procured, that 1767.
 he office was rendered contemptible.*

Notwithstanding

* The following pasquinade was published in the Portsmouth Mercury of October 7, 1765. It was supposed to have been written by the late Judge Parker, and was intitled

THE SILVER AGE.

In days of yore, and pious times,
 Great care was had to punish crimes;
 When conservators *pacis* sought
 To keep good order as they ought.
 This office then, was no great booty,
 Small were the fees, though great the duty.
 But when a law, the old restriction
 Dock'd—and enlarg'd the jurisdiction;
 His Worship had a right to hold,
 In civil plea, a pound twice told.
 The post was then thought worth possessing,
 For 'twas attended with a blessing.
 But still, in after times it grew
 Much better, as our tale will shew;
 When, as it goes by common fame,
 Two pounds and forty were the same. [By depreciation]
 Then civil suits began to thrive,
 And claims grown obsolete revive.
 But when their Worships, manifold,
 Like men divinely bless'd of old,
 Were bid 't' increase and multiply,
 Obsequious rose a num'rous fry,
 Who, ever prompt, and nigh at hand,
 Could scatter justice through the land.
 Then, with important air and look,
 The sons of Lyttleton and Coke
 Swarming appear'd, to mind the Squires;
 What honors such a post requires!
 These skilful clerks, always attending,
 Help'd to dispatch all matters pending;
 Took care that judgment (as it should)
 Was render'd for the man that sued;
 Aided their honors to indite,
And sign'd for those who could not write.
 Who but must think these, happy times,
 When men, adroit to punish crimes
 Were close at hand? and what is better,
 Made every little tardy debtor
 Fulfil his contract, and to boot,
 Pay twice his debt in costs of suit.

This was the happy silver age
 When magistrates, profoundly sage,
 O'erspread the land; and made, it seems,
 ' Justice run down the streets in streams.'

1767. Notwithstanding some instances, in which a want of magnanimity was too conspicuous, his administration was, in other respects, beneficial. Though he was highly censured, for granting the best lands of the Province to the people of Massachusetts and Connecticut, with views of pecuniary reward; yet, the true interest of the country was certainly promoted; because the grantees in general, were better husbandmen than the people of New-Hampshire.

In those cases, where dissatisfaction appeared, it was chiefly owing to the nature of a royal government, in which the aristocratic feature was prominent, and the democratic too much depressed. The people of New-Hampshire, though increasing in numbers, had not the privilege of an equal representation. The aim of most of those gentlemen, who received their appointments from abroad, was rather to please their masters, and secure the emoluments of their offices, than to extend benefits to the people, or condescend to their prejudices. They did not feel their dependence on them, as the source of power; nor their responsibility to them for its exercise. And, the

the people themselves had not that just idea of their own weight and importance, which they acquired, when the controversy with the British government called up their attention to their native rights. 1767.

C H A P. XXIV.

Administration of JOHN WENTWORTH the second. New attempt to force a revenue from America. Establishment of Dartmouth College. Division of the Province into Counties. Death of BENNING WENTWORTH. Complaint of PETER LIVIUS against the Governor. Its issue. Progress of the controversy with Great-Britain. War. Dissolution of British government in New-Hampshire.

1767.

THE genius, as well as the interest of the new Governor, led him to cultivate the good will of the people. He was grandson, by his mother, to the late agent John Rindge, who had been instrumental of establishing the boundaries of the Province, and had advanced a large sum for that purpose. His family, who had long complained of ingratitude and neglect, were now amply gratified, not only by the advancement of the new Governor, but by his recommending several other gentlemen, who were connected with it, to fill vacant seats at the Council board, and other offices of government.

Several

Several gentlemen of other respectable families; who had been treated with neglect, in the preceding administration, were also taken into favor ; and a spirit of conciliation, among those who had formerly been at variance, seemed to mark the beginning of this administration with fair omens of peace and success. 1767.

Being in the prime of life, active and enterprising in his disposition, polite and easy in his address, and placed in the chair by the same minister who had procured the repeal of the stamp-act, to which event his own agency had contributed ; Mr. Wentworth enjoyed a great share of popular favor ; which was much heightened when his conduct was viewed in contrast with that of some other Governors in the neighbouring Provinces. Though bred a merchant, he had a taste for agriculture, and entered vigorously into the spirit of cultivation. He frequently traversed the forests ; explored the ground for new roads ; and began a plantation for himself in the township of Wolfborough, on which he expended large sums, and built an elegant house. His example was influential on other landholders, who also applied themselves in earnest to cultivate the wilderness.

The

1767. The improvement of the country at this time occupied the minds of the people of New-Hampshire, and took off their attention, in a great measure, from the view of those political difficulties, which were occasioned by a new act of Parliament, laying duties on paper, glass, painters' colors, and tea; and the establishment of a board of Commissioners for collecting the American revenue. In the other Colonies, particularly in Massachusetts, these duties had become a subject of altercation and serious alarm, being grounded on the right which the Parliament had assumed of 'binding America in all cases whatsoever.' The only remedy was to be found in frugality, non-importation, and domestic manufactures. These things were recommended, and, in some measure, complied with; and by means of these exertions, the revenue fell short of the sanguine expectations which its advocates had formed.

The popularity of the Governor of New-Hampshire, and the influence of his numerous friends and connexions, who were of the principal families and the richest merchants in the Province, prevented the adoption of a non-importation agreement

in Portsmouth,* till the merchants in some of the other Colonies threatned to withhold any mercantile intercourse with them. A plan of the same kind was then (1770) formed; and the union of so many Colonies, in this measure, caused the manufacturers in Great-Britain to experience distresses of the same nature with those occasioned by the stamp-act; and to exert their influence for a repeal of the new revenue law, which was in part effected. All the duties, excepting that on tea, were taken off. This relaxation, on the other side of the Atlantic, produced a relaxation here. The ministry in Great-Britain was frequently changed; and no uniform system either of coercion or lenity was adopted. The opposition on this side languished for want of unanimity. The more candid among us were willing to suppose that Britain would never lay any more duties; and there was some foundation for this supposition, as far as letters from ministers of state, and speeches from provincial Governors might be depended on. The tax

* ' We cannot depend on the countenance of many persons of the first rank here; for royal commissions and family connexions influence the principal gentlemen among us, at least to keep silence in these evil times. The press here has never been openly attacked; but the printer remembers what he once suffered, at Boston; and is easily kept in awe by more private rebukes.'

MS letter of the Sons of Liberty, in Portsmouth, to those in Boston.

1767. tax on *tea* was reserved as a latent spark to rekindle the controversy.

Journal of
Assembly.

Sept. 30.

When the Governor, at his first meeting the Assembly, according to the custom on such occasions, recommended to them the establishment of an 'adequate, honorable and permanent salary,' they made some hesitation, on account of a report, that the salaries of the American Governors were to be paid out of the revenue. On being assured, that if such a general establishment should take place, it would be so guarded as to prevent his receiving any reward from the Assembly; they framed a vote, granting seven hundred pounds per annum during his administration (dollars being then fixed at six shillings.) The fund appropriated to the salary was the excise, and in case of its insufficiency, other provision was made. But the vote was limited with an exception, 'unless provision shall be made by Parliament.' When the question was put, the House was equally divided, and the Speaker, Peter Gilman, turned it against a permanent salary. It was therefore voted from year to year, and generally amounted to seven hundred pounds; besides which an allowance was made for house-rent, from sixty or seventy to one hundred pounds.

Among

Among the improvements which, during this administration, were made in the Province, one of the most conspicuous, was the establishment of a seminary of literature. It was founded on a projection of Doctor Eleazer Wheelock, of Lebanon in Connecticut, for the removal of his Indian charity school. 1769.

The first design of a school of this kind was conceived by Mr. John Sergeant, Missionary to the Indians at Stockbridge. A rambling mode of life, and a total want of letters, were ever unfriendly to the propagation of religious knowledge among the savages of America. That worthy missionary, intent on the business of his profession, and having observed the progress made by some of the younger Indians, who resided in the English families, in reading and other improvements, conceived the benevolent idea of changing their whole habit of thinking and acting; and raising them from their native indolence to a state of civilization; and at the same time, by introducing the English language, instead of their own barren dialect, to instil into their minds the principles of morality and religion.

To accomplish this design, he procured benefactions from many well disposed persons both here and in England; and began

Hopkins's
memoirs of
the Housa-
tonnock
Indians,
1736.

HISTORY OF

1769

(1749)

began a school at Stockbridge ; where the Indian youth were to be maintained, under the instruction of two masters ; one to oversee their studies, and the other their field labor ; whilst a matron should direct the female children in acquiring the arts of domestic life. Death put an end to the labors of this excellent man before his plan could be accomplished.

Whe-
lock's
1747

Whe-
lock's
1747
narrative.

This design was revived by Wheelock. Having made some experiments, he was encouraged to proceed, by the tractable disposition of the Indian youths, and their proficiency in learning ; but especially, by the numerous benefactions, which he received from the friends of religion and humanity. Among which, a donation of Joshua Moor, of Mansfield, being the largest, in the infancy of the institution, determined its name ' Moor's school.'

To increase the means of improvement, charitable contributions were solicited in different parts of America, in England and in Scotland. The money collected in England, was put into the hands of a Board of Trustees, of whom the Earl of Dartmouth was at the head ; and that collected in Scotland was committed to the society for promoting christian knowledge.

As

As an improvement on the original design, a number of English youths were educated with the Indians, both in literary and agricultural exercises ; that their example might invite the Indians to the love of those employments, and abate the prejudice which they have universally imbibed, that it is beneath the dignity of man to delve in the earth. 1769.

As the number of scholars increased, it became necessary to erect buildings, and extend cultivation. That part of the country in which the school was first placed, being filled with inhabitants, a removal was contemplated. When this intention was publicly known, offers were made by private and public persons in several of the neighboring Colonies. The wary foresight of the founder, aided by the advice of the Board of Trustees, in England, led him to accept an invitation made by the Governor, and other gentlemen of New-Hampshire. The township of Hanover, on the eastern bank of Connecticut river, was finally determined on, as the most convenient situation for the school ; to which the Governor annexed a charter of incorporation for an university, which took the name of Dartmouth College, from its benefactor, the Earl

Dec. 19.

1769. Earl of Dartmouth. Of this university, Doctor Wheelock was declared the founder and the President; with power to nominate his successor, in his last will. A Board of twelve Trustees was constituted, with perpetual succession; and the college was endowed with a large landed estate, consisting of one whole township (Landaff) besides many other tracts of land, in different situations, amounting in the whole, to forty-four thousand acres. One valuable lot, of five hundred acres, in the township of Hanover, given by the late Governor, Benning Wentworth, was fixed upon as the site of the school and college. Besides these donations of land, the amount of three hundred and forty pounds sterling, was subscribed, to be paid in labor, provisions, and materials for building. With these advantages, and the prospect of a rapidly increasing neighborhood, in a fertile soil, on both sides of Connecticut river, Doctor Wheelock removed his family and school into the wilderness. At first, their accommodations were similar to those of other settlers, on new lands. They built huts of green logs, and lived in them, till a proper edifice could be erected. The number of scholars, at this time, was twenty-four;
of
1770.
September.

of which eighteen were whites, and the rest Indians. 1770.

Experience had taught Doctor Wheelock, that his Indian youths, however well educated, were not to be depended on for instructors of their countrymen. Of forty who had been under his care, twenty had returned to the vices of savage life; and some whom he esteemed 'subjects of divine grace, had not kept their garments 'unspotted.' It was, therefore, in his view, necessary that a greater proportion of English youths should be educated, to serve as missionaries, and oversee the conduct of the Indian teachers. This was given as the grand reason, for uniting the college with the Indian school, and placing it under the same government; though the appropriations were distinctly preserved. That the general concerns of the institution might be better regulated, and the intrusion of vicious persons within the purlieus of the college prevented; a district of three miles square was put under its jurisdiction, and the President was invested with the office of a magistrate. In 1771, a commencement was held, and the first degrees were conferred, on four

Narrative
No. 5. p.
20, 21.

Y

students;

1770. students ; one of whom was John Wheelock, the son and successor of the founder.

Another improvement was made about the same time, by dividing the Province into counties. This had been long sought, but could not be obtained. The inconvenience to which the people in the western parts of the Province were subject, by reason of their distance from Portsmouth, where all the Courts were held, was extremely burdensome ; whilst the convenience and emoluments of office were enjoyed by gentlemen in that vicinity. Some attempts to divide the Province had been made in the former administration ; but without effect. The rapid increase of inhabitants for several years, made a division so necessary, that it had become one of the principal subjects of debate, in the Assembly, from the time of the Governor's arrival. Several sessions passed before all points could be adjusted. The number of counties, and the lines of division, were not easily agreed to, and a punctilio of prerogative about the erecting of Courts, made some difficulty ; but it was finally determined, that the number of counties should be five ; and the Courts were established by an act of the whole legislature. It was passed with a clause, suspending its operation,

operation, till the King's pleasure should be known. The royal approbation being obtained, it took effect in 1771. The five counties were named by the Governor, after some of his friends in England; Rockingham, Strafford, Hillsborough, Cheshire, and Grafton. The counties of Strafford and Grafton being much less populous, than the others, were to remain annexed to the county of Rockingham, till the Governor, by advice of Council, should declare them competent to the exercise of their respective jurisdictions; which was done in 1773.

The year 1771 was also distinguished by the abolition of paper currency. Silver and gold had been gradually introduced, and the paper had for several years been called in by taxes. The time limited for its existence being now come, it totally disappeared.

The death of the late Governor produced consequences which materially affected his successor. This family had been for many years of the first rank in the Province, and some of its members and connexions had held the principal offices. In such a case, domestic union may be considered as necessary to preserve public honor. The late Governor, though superseded,

Os. 14,
1770. R.
tab 75.

1771. ed, had been treated with every mark of respect; and having no children, it was expected that his successor would be his principal heir. A later will, made in favor of his young widow, and unknown till after his death, caused a sudden disappointment; which, if it had evaporated in private reflections only, might have passed among the infirmities incident to humanity, and with them might have been consigned to oblivion; for it is beneath the dignity of history, to record the altercations of families, unless they are connected with public transactions, or events.

Antiquated claims upon the late Governor's estate were revived; and law-suits were commenced, which probably would not have been agitated, if the expected disposition had been made. But the most alarming effect of this unhappy disappointment was a question, which the Governor moved in Council, 'whether the reservations of five hundred acres, in several townships, made by the late Governor, Benning Wentworth, in the charter grants, conveyed the title to him?' The Council determined this question in the negative. The Governor then asked, whether they would advise him to grant the

March 19.

MS deposition of seven of the Council.

the said tracts, to such of his Majesty's subjects, as should settle and cultivate the same? To this they gave their assent. Seven of the Counsellors present on this occasion were the Governor's relations. The eighth was Peter Livius, a gentleman of foreign extraction, who entered his dissent. He had for several years served as a Justice of the Common Pleas; but on the division of the Province into counties, it was necessary to issue new commissions. Finding himself overlooked in the appointment of officers, and his private affairs calling him abroad, he sailed for England, and there exhibited to the Lords of Trade, articles of complaint against the Governor and his Council.

1771.

1772.

July 9.

Printed
complaint.

The first was, that the Governor and Council, without any legal process, or the intervention of a jury, had deprived the grantees under the Crown of their lands, on suggestion only that the conditions had not been fulfilled.

The second was, that the duty paid by foreign shipping, commonly called powder money, had not been accounted for, since the year 1741; and that the Council had refused to join with the Representatives in an inquiry into this matter in the year 1768.

HISTORY OF

The third was, that the Governor had moved in Council, that the lands reserved to the late Governor, in the charters of townships, should be regranted to himself, through the medium of another person; and that the protest of the complainant, against the legality of this proceeding, was rejected.

The fourth was, that in consequence of the opposition, which he was in duty bound thus to make, he had been injuriously treated, and had received personal abuse from the Governor.

The fifth was, that pending an action in the Common Pleas, brought by the Governor, though in other names, the Judges had several times been changed, till a question on a point of law was determined in favor of the Governor.

The sixth article stated, that the complainant had expected to prove several of the above facts, by referring to copies of the Council records in their Lordship's office; but was surprised to find that the Governor had disobeyed his instructions in not sending them.

The memorial concluded with a general charge of partiality arising from the family connexions of the Governor and Council.

*Copies

Copies of this memorial were sent to the Governor and Council, who separately prepared and returned distinct answers to the several articles of complaint.

1772.
MS copies.

To the first, it was said, that the resumption of grants forfeited by non-compliance with the conditions of settlement was supported by the opinion of the Attorney and Solicitor General, given in 1752; that the invariable usage in these cases, had been to issue notice to delinquent proprietors, that they should appear on a set day, and shew cause why their shares should not be forfeited and regranted; that their allegations had been always treated with proper respect, and that no complaint of injustice had been made by any persons whose grants had been thus resumed.

To the second it was answered, that the amount of powder-money, during the former administration, though long neglected, had been lately recovered; and that since 1768, it had been regularly accounted for. The reason for the non-concurrence of the Council, with the vote for inquiring into this matter, was their respect to the royal prerogative, conceiving that the House had no concern with the matter.

1772.

To the third article, it was said, that the late Governor, conscious of the insufficiency of his title, had solicited his successor for grants of these reservations, which he had declined giving, unless a mandamus from the King could be procured; that this uncertainty had prevented alienating them; that in consequence, they were unalienated and forfeited; that some of the lands had been regranted to other persons; that the present Governor had no interest directly or indirectly in them. The Court denied, that the Governor had ever proposed the granting of these lands to himself, through another person. They also denied that the dissent of the memorialist had been refused.

The charge of personal abuse, in the fourth article, was contradicted and retorted; but it was conceded, that the Governor had told him that his reasons of dissent were not founded in truth.

In answer to the fifth article, it was acknowledged, that the action was brought for the Governor's benefit; but that any unfair means were used to influence the Court was denied. This denial was corroborated by the depositions of the Judges themselves, and of the Attorneys who were concerned in the suit. It was also proved that

that the judgment of the Court on the question of law, was of no moment, being reversed by the Superior Court, before which the cause was carried by appeal. 1772.

To the sixth article, it was answered, that the Governor had directed the Secretary to furnish him with copies of all the public transactions which had usually been sent to England, and that he had regularly transmitted them. But it appeared from the affidavit of the Secretary, that in June 1760, the late Governor had ordered him not to transcribe the minutes of the Council, when sitting without the Assembly, unless specially directed; and since that time it had been usual to send the journal of the Council when sitting as a House of Assembly, and not as a Council of State.

In fine, the Council denied that they had ever acted, in their public capacity, from any private or family interest; but asserted, that they had frequently given their judgment directly against it; and they concluded with very severe reflections on the complainant.

With these answers, were transmitted a great number of depositions, from persons of all ranks and professions, testifying in favor of the Governor, These being laid before 1773.
MS copies

1773.

May 10.
Printed re-
presentation,

before the Lords of Trade, and the memorialist being heard in reply, the Board represented to the King, that the complaint against the Governor 'had been fully verified.' At the same time they thought it their duty to represent, 'that the reports which they had received, through different channels, of the situation of affairs within New-Hampshire, did all concur in representing the colony to have been, since Mr. Wentworth's appointment, in a state of peace and prosperity; that its commerce had been extended, and the number of its inhabitants increased; and that every attempt made to excite the people to disorder and disobedience, had been, by the firm and temperate conduct of Mr. Wentworth, suppressed and restrained.'

July 29.

When the cause was reheard before a committee of the Privy Council, it was observed by the Governor's advocate, that 'peace, prosperity and obedience, were not compatible with oppression and injustice; and that however the Lords of Trade had in the beginning of their report condemned the Governor, they had, by the praise bestowed upon him, in the end contradicted themselves.'

The

The Lords of the committee reported to the King in Council, their judgment upon several articles of the complaint, in substance as follows.

1773.
August 26,
Printed re-
port.

‘ That by the law of England, when lands were granted, upon condition, the breach of that condition must be found by a jury under a commission from the Court of Chancery ; but that no such Court existed in New-Hampshire ; and though the general rule was that the law of England extended to the Colonies, yet it must be understood to mean, such part of the law as is adapted to the state and constitution of them. That though the Governor had resumed and regranted lands, yet there was no evidence that such resumptions had been made without proof or public notoriety, that the conditions of former grants had not been complied with ; and that no complaint had been made by any person supposed to be injured. That it had not been proved that resumptions had been made without notice to the proprietors ; and it had not even been suggested, in cases where time had been allowed, that grants were resumed before the expiration of it. That the lands granted to the late Governor were granted in the name of the King, which was sufficient

1773. cient to convey a title; and that the Council was mistaken in thinking otherwise. That the Governor, by their advice, did resume and regrant several tracts of land which had been granted to the late Governor; but it had not been proved that the said lands were regranted in trust for himself; and in many instances such lands were regranted to different individuals for their own use and benefit; and the late Governor's widow had not complained of any injury, by such resumption. That it appeared to have been the common practice when any standing Justice, the Court was interested in a suit, for a special Justice to be appointed; that other causes were depending at the same Inferior Court of Common Pleas, in which the standing Justices were interested, and there was no proof that special Justices were appointed on account of that particular cause in which the Governor was concerned; but that the commission was solicited in the common form; and that the defendant himself had testified that he had no objection to the commission or to the special Justices. With respect to the transmission of the records of Council, it was their opinion that it might be proper to revive that practice, as it had been conducted previously to the year

year 1760. But upon the whole, they submitted their judgment that there 'was
' no foundation for any censure upon the
' said Governor, for any of the charges
' contained in the complaint, and that
' the general conduct of his administration
' had tended greatly to the peace and
' prosperity of the said Province.' 1773.

This report was approved by the King in Council, and the complaint was dismissed. But the Governor was strictly enjoined, to transmit to the Lords of Trade, authentic copies of the journals of the Council, as a Council of State. October 8.

In this controversy Mr. Livius met with great support, from the interest of those who wished to displace the Governor; and they became so deeply engaged to him, as to procure for him an appointment to be the Chief Justice of New-Hampshire; but, upon more mature consideration, this was thought too likely to produce discord and confusion, and he obtained an appointment to a more lucrative office in the Province of Quebec.

When the final issue of the complaint was known in New-Hampshire, a general satisfaction appeared among the people. At the next session of the Assembly, the House of Representatives presented to the Governor,

1773. Governor, an address of congratulation, in the name of their constituents; and the citizens of Portsmouth gave a splendid ball, to which the Governor and both Houses of Assembly were invited.

Hitherto the Governor had preserved his popularity; and the people, in general, were satisfied with his administration. But, the obligation which lay on him to support the claim of Britain, and aid the plans of her ministry, rendered his situation extremely delicate, and his popularity very precarious. The controversy between Britain and the Colonies was drawing to a crisis. The reservation of the duty on tea, the Parliament insisted on it as their right, to tax their American brethren without their consent; and the Americans, by withholding the importation of tea from Britain, made use of the only peaceable mode, in their power, effectually to oppose that claim. The revenue failed, and the warehouses of the East India company were filled with an unsaleable commodity. The ministry and the company, thus severely disappointed, formed a plan, by which it was expected, that the one would enforce their claim, and the other secure their traffic.

It

It was therefore enacted in Parliament, 1773. that the duty on the exportation of tea, from Britain, should be taken off; and the East India company be enabled to send tea, on their own account, to America, subject to a duty only of three pence on the pound; by which means it would come to us, cheaper than before, or than it could be procured by illicit trade.

This measure caused a general alarm, through the Colonies; and united the interest of the merchants, with the views of the politicians, and the general sense of liberty in the people. The trading towns set the example, which the others followed, of passing resolves, not to permit tea, freighted by the East India company, to be landed or sold. These resolutions were effectual. In some places the consignees were obliged to relinquish their appointments, and the tea was returned unladen. In other places it was deposited in stores, till it could be reshipped. In Boston, where the obstinacy of Governor Hutchinson drove the people to desperation, it was destroyed. In New-Hampshire, the prudence of Governor Wentworth, the vigilance of the magistrates and the firmness of the people were combined, and the hateful commodity was sent

HISTORY OF

away without any damage, and with little tumult.

1774.

June 25.

The first cargo of tea, consisting of twenty-seven chests, was landed and stored at the custom house, before any people could assemble to obstruct it. A town meeting was called, and a proposal was made to Mr. Parry, the consignee, to re-ship it: To this he consented. A guard was appointed by order of the town, to watch the custom house. The tea having been entered, it was necessary that the duty should be paid; which was done openly, by the consignee. The Governor convened the Council, and kept the magistrates and peace officers in readiness to suppress any riotous appearances; but there was no need of their exertion. The tea was peaceably reshipped and sent to Halifax.

Sept. 8.

A second cargo, of thirty chests, which came consigned to the same person, raised a small ferment; and the windows of his lodgings were broken. He applied to the Governor for protection. The Governor, as before, summoned the Council and magistrates. The town, by their committee, prevailed on the consignee to send the tea to Halifax, after having paid the duty, without which the ship could not legally be cleared at the custom house.

A general

A general detestation of the measures, pursued by the British ministry, to rivet the chains on America, universally prevailed. The towns had severally passed resolves, asserting their right of exemption from all taxation by Parliament; condemning the importation and use of tea; and appointing committees of inspection to carry their resolutions into effect. The committees were vigilant; and being aided by the general sentiment of the people, their exertions were successful.

1774.
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The controversy had now advanced, to a stage, which excited the most serious apprehensions. The Parliament had assumed *judicial*, as well as legislative powers; and directed their vengeance against Boston. Its port was shut, and guarded by ships of war; its commerce was interdicted; its tradesmen were without employment; and its poor without bread. A military Governor presided there, and was drawing together all the British troops from every part of America; that he might be prepared, to make any sanguinary experiment, which, in the ministerial plan of coercion, might be judged necessary.

The sympathy of their American brethren, raised contributions, for the relief of the numerous poor in Boston, who

1774. were regarded as suffering in the common cause. But, to guard ourselves effectually against the gathering storm, a *union of the Colonies* was thought absolutely necessary; and recourse was had to the same measure which had formerly been tried in cases of common danger, to hold a CONGRESS of delegates from each Colony.

The enemies of America have uniformly censured this measure as unprecedented, illegal and dangerous. That it was dangerous to the designs of the British administration, is admitted; but for that reason, it was to us the means of safety. Though it was not supported by any written law, yet it was evidently founded on self-preservation, the first law of nature. But that it was unprecedented, is a very great mistake. From the middle of the preceding century, the united Colonies of New-England, held annual, or semiannual meetings of Commissioners, on their common concerns, for above forty years. From the reign of Queen Anne, to that of George the second, Governors, and delegates from Councils and Assemblies, occasionally met in central places, to hold conferences relative to the operations of war,

war, or treaties with the Indian tribes.* 1774.
 These meetings, usually called by the name of CONGRESSES, though unknown, or disregarded in Britain, were familiar to the people of America; and what could be a more natural or obvious step, in a time of common danger, than to assemble by deputies, and confer on the means of safety? Precedents were numerous, that Governors and delegates had held these Assemblies, when their interests were united; what then should hinder the people from following the example, when their interest required them to meet, without their Governors, who were endeavoring to maintain a separate interest?

At the meeting of the Assembly of New-Hampshire, in the spring, the House of Representatives, conformably to the proceedings of the Assemblies in the other Colonies, appointed a committee of correspondence. The Governor, who had in vain labored to prevent this measure, adjourned the Assembly, and after a

May 10.

June 8.

few

* May 6, 1754. A question was moved in Council by the Governor, Whether it be not an infringement of the prerogative, for the House to join with the Council, in appointing delegates to the Congress at Albany? To which the Council answered; that the House had no inherent right; but it had been long the custom, at such interviews, for the lower House to nominate persons, to be joined with such as the Council should appoint.

Council minutes.

1774. few days, dissolved it; hoping, by this means, to dissolve the committee also.

they were not restricted by forms. A summons issued by the committee, Representatives met again, in their chamber. The Governor, attended by the Sheriff of the county, went among them. They rose at his entrance. He

July 6.

read a firm illegal, and direct open proclamation, for dispersal, and keep the peace. When he had retired they continued but, on further consultation, moved to another house; and after deliberation, wrote letters

to all the towns in the Province; requesting them to send deputies, to hold a Convention at Exeter, who should choose delegates for a general Congress; and to pay their respective quotas of two hundred pounds, agreeably to the last proportion of the Provincial tax. They also recommended a day of fasting and prayer, to be observed by the several congregations, on account of the gloomy appearance of public affairs. The day was observed, with religious solemnity. The money was collected.

July 14.

July 21.

Eighty-five deputies were chosen and met at Exeter, where they deliberated. Nathaniel Folsom and John Sullivan Esquires

Esquires, to attend the proposed Congress, 1774.
 at Philadelphia, in September, and delivered to them the money which had been collected, to defray their expenses. They also recommended the distressed state of Boston, to the commiseration of their brethren in New-Hampshire; and contributions were raised in many of the towns for their relief.

The Governor was now convinced, and in his letters to the ministry acknowledged, that 'the union of the Colonies would not be lost in New-Hampshire.' At the same time, he did the people the justice to say, that they had abstained from violence and outrage, and that the laws had their course. In his letters which were published by the ministry, there appears a spirit of candor toward the people, as well as a desire to recommend himself to the approbation of his superiors. Though he saw another authority rising in the Province, founded on the broad basis of public opinion, and unrestrained representation, an authority over which he had no influence or control; yet he endeavored to preserve the shadow of the royal government, and keep up its forms as long as possible.

But it was impracticable for a person, circumstanced as he was, to withstand the

Parliamentary
 register.
 1775.
 vol 1, page
 61, &c.

1774. spirit of the people.* That his wish was to prevent a rupture, there is sufficient evidence, for candor to believe. But it cannot be thought strange, that in his endeavors to comply with the expectations of the ministry, and their instruments, which he conceived to be his duty, he should fall into such a snare, as to lose the affections of the people; for it was impossible to please both.

The troops in Boston wanted barracks, to secure them against the approaching winter. The artificers of the town, were, by the popular voice, restrained from working in the service of government. General Gage was therefore obliged to send for assistance to the neighboring Governors, and, among others, to Governor Wentworth. Instead of convening his Council for their advice, or issuing a proclamation, inviting help and promising reward, he privately employed a person to hire carpenters to go to Boston. It was impossible that the secret should be kept, and when it was known, his best friends

* The following paragraph, of one of his private letters, written at that time, to a confidential friend, deserves to be remembered.

“ Our hemisphere threatens a hurricane. I have in vain strove, almost to death, to prevent it. If I can, at last, bring out of it, safety to my country, and honor to our sovereign, my labors will be joyful. My heart is devoted to it, and you know its sincerity.”

MS letter to T. W. W.

friends reprobated his conduct. The ^{1774.} Committee of Portsmouth, at the head of which, was his uncle, Hunking Wentworth, bore their public testimony against it; and censured him, not by name, but by implication, as 'an enemy to the community,' and the men whom he had employed, as 'unworthy of society.' The agent in this secret business, was brought on his knees before the committee of Rochester, and made an humble acknowledgment. This prudent step of the committee, disarmed the popular rage, and prevented any injury to his person or property.

The transactions of the Congress which met at Philadelphia, were universally approved. ^{Sept. 4.} The spirit of them was firm, but pacific. The mode of opposition, to the arbitrary claims of Britain, which they recommended, was non-importation and non-consumption. But in the close of their address, to their constituents, they advised them to 'extend their views to the most unhappy events, and to be in all respects prepared for every contingency.' Not long after this advice was made public, a contingency presented itself, in which the people of New-Hampshire gave an example of that spirit, by which the whole country was animated.

1774.

Dec 13.

An order having been passed by the King in Council, prohibiting the exportation of gunpowder and other military stores, to America; a copy of it was brought by express to Portsmouth, at a time, when a ship of war was daily expected from Boston, with a party of troops, to take possession of fort William and Mary, at the entrance of the harbour. The committee of the town, with all possible secrecy and dispatch, collected a company, from that and some of the neighboring towns; and before the Governor had any suspicion of their intentions, they proceeded to Newcastle, and assaulted the fort. The Captain and his five men (which was the whole garrison) were confined, and one hundred barrels of powder were carried off. The next day, another company went and removed fifteen of the lightest cannon, and all the small arms, with some other warlike stores; which they distributed in the several towns, under the care of the committees. Major John Sullivan, and Captain John Langdon, distinguished themselves, as leaders in this affair. It was transacted with great expedition and alacrity, and in the most fortunate point of time; just before the arrival of the Scarborough frigate,

frigate, and Canseau sloop, with several companies of foldiers; who took possession of the fort, and of the heavy cannon which had not been removed. 1774.

The Governor put the five men, who belonged to the fort, on board the ships of war, to be reserved as evidences in case of a prosecution of the offenders for high treason; and having consulted Council in this and the neighbouring Province, thought it his duty; that he might prevent any charge of misprision of treason against himself; to dismiss from public trust, all those persons concerned in the assault of the fort, who had held any office under the government; and concerning whose proceedings he had authentic testimony. He also issued a proclamation, commanding all officers, civil and military, to assist in detecting and securing the offenders; and exhorting all the people to beware of being seduced, by the false arts and menaces of abandoned men.

It was thought proper by the Governor and some of his friends, to form an association, for the support of the royal government, and for their mutual defence. They boasted, that an hundred men could be procured, from the ships, at a minute's warning. This transaction exposed the weakness

1775. weakness of the cause, which they meant to support; for what could an hundred men do against the whole country?

Jan. 25. A second convention of deputies met at Exeter, to consult on the state of affairs, and appoint delegates for the next general Congress, to be holden on the tenth of May, at Philadelphia. Major Sullivan and Captain Langdon were chosen; and the sum of two hundred and fifty pounds, was ordered to defray their expenses. This convention issued an address to the people, warning them of their danger; exhorting them to union, peace and harmony, frugality, industry, manufactures, and learning the military art; that they might be able, if necessary, to defend the country against invasion. They appointed a committee of correspondence, with power to call another convention, when they should judge it necessary.

The winter passed away in gloomy apprehension and anxiety. Men of consideration saw that a wide breach was made, and that it could not easily be closed. Some happy genius was wanted to plan, and wisdom on both sides to adopt, a constitution for Britain and America. Royal charters and instructions, acts of Parliaments and precedents of all kinds, were at
best

best but a rotten foundation. The store of temporary expedients was exhausted. It was doubtful whether force could generate submission, or whether resistance could enervate force. Neither country was sensible of the strength and resources of the other. The press teemed with arguments on both sides; but no plan of conciliation was adopted. A fair and candid representation of our grievances could not be received, in the Court of Britain. Each side was tenacious of its claims, and there appeared no disposition to relax. When two independent nations are in such a state, they generally find among their friends and allies, some mediating power, to bring them to terms and prevent a rupture. Between Britain and America, no mediator could be found. The controversy could be decided only by the supreme Arbiter of nations.

The first ships, which arrived in the spring, brought us news that the petition of Congress was graciously received by the King; and that the merchants of England were petitioning in our favor. This revived our hopes. Soon after we were informed, that the Parliament had *voted* the existence of a rebellion in Massachusetts; and that the other Colonies were aiding
and

1775. and assisting : That the Lords and Commons had addressed the King, to enforce the revenue-acts, and had assured him, that they would stand by him, with their lives and fortunes : That the King had demanded an augmentation of his forces, by sea and land : That the commerce of the New-England Colonies was to be restrained, and their fishery prohibited ; and that an additional number of troops, horse and foot, were ordered to America. These tidings threw us into distress. A war seemed inevitable ; and a gloom overspread the whole country. The people of Boston began to remove from the town ; and those, who could not remove, were solicitous to secure their most valuable effects. In the midst of this distress, a frigate arrived express from England ; with an account of a proposal made and voted in Parliament, which was called Lord North's conciliatory proposition. It was this ;
 ' that when any Colony by their Governor, Council and Assembly, shall engage
 ' to make provision, for the support of
 ' civil government, and administration of
 ' justice, in such Colony ; it will be proper,
 ' if such proposal be approved by the King
 ' and Parliament, for so long time as such
 ' provision shall be made, to forbear to
 ' levy

April 14.

‘levy any duties or taxes in such Colony, 1775.
‘except for the regulation of commerce;
‘the neat proceeds of which shall be car-
‘ried to the account of such Colony res-
‘pectively.’ The troops, however, were
to remain; and the refractory Colonies
were to be punished. This proposition
was said to be founded on some advice, re-
ceived from New-York, that if concessions
were made by Parliament, they would
censure the proceedings of Congress, and
break the union of the Colonies. The
proposal was evidently a bait thrown out
to divide us, and tempt us to desert the
Colony of Massachusetts; who could not
comply, without submitting to the altera-
tion, lately made by Parliament in their
charter.

What might have been the effect of this
proposition in the other Colonies, if it
had been allowed time to operate, is un-
certain. The conduct of General Gage,
on receiving this news, was in the highest
degree absurd and inconsistent. He had
been blamed in Parliament for his inactiv-
ity. He had *friends* in Boston, who con-
stantly assured him, that the people in the
country would not dare to face his troops.
He had been informed of a magazine of
provisions and stores, at Concord, laid up
by

1775. by the Provincial Congress, in case of extremity. With the news of the conciliatory proposition, he received orders to make an experiment of its success. On April 18. the eighteenth day of April, he issued writs for calling a general Assembly, to comply with the proposed terms of reconciliation; and in the night following, he privately dispatched a body of his troops, to destroy the magazine at Concord; and to seize some of the leaders of opposition, who had retired from the town. He was induced to believe, that if between the issuing of his writs, and the meeting of the Assembly, he could strike a bold stroke; it would so intimidate the people, and unfit them for defence, that they would easily comply with the terms proposed. But he totally mistook the genius of the people of New-England. Nor were his designs carried on so secretly as he imagined. The popular leaders were seasonably apprised of their danger, and kept themselves out of his reach. The country was alarmed, by express sent off in the night, before he had taken the precaution to shut the avenues of the town. A company of armed citizens kept guard at Lexington, on the road to Concord. The British troops, when they appeared in the morning, having

ing ordered them to disperse, fired upon them, as they were retiring, and killed several on the spot. They then proceeded to Concord, and destroyed such of the stores as had not been removed; and having accomplished their object, as far as they were able, they retreated through showers of musquetry from the people, who suddenly collected from all quarters to oppose them.

1775.
April 19.

On the alarm of this act of hostility, the people of New-Hampshire, and of the other Colonies, took arms, and flew to the assistance of their brethren.

Notwithstanding this ill-advised and unsuccessful attempt of Gage, Governor Wentworth had very sanguine hopes of the good effect of the 'conciliatory proposition;' and determined, as he said, 'to plant the root of peace in New-Hampshire.' He summoned a new Assembly; and in his speech, entreated them, as 'the only legal and constitutional Representatives of the people, to direct their counsels to such measures, as might tend to secure their peace and safety; and effectually lead to a restoration of the public tranquillity; and an affectionate reconciliation with the mother country.' The House desired a short recess, that they might

May 4.

1775 might advise with their constituents on so momentous a question; and the Governor reluctantly consented to adjourn them to the twelfth day of June.

In the mean time, the officers and men of the Scarborough began to dismantle the fort; they also stopped two vessels laden with provisions, which were coming into the harbor; and notwithstanding the most pressing remonstrances of the inhabitants, and solicitation of the Governor, refused to release them. Upon this, a body of armed men, went to a battery on Jerry's point, at Great Island, and took away eight cannon of twenty-four and thirty-two pound shot, which they brought up to Portsmouth; and whilst they were engaged in this work, the Canseau sloop conveyed the two provision vessels to Boston, for the supply of the fleet and army.

May 26.

A new convention was at this time sitting at Exeter; in which the Province was more fully and equally represented, than it ever had been before. They passed votes of thanks to those who had taken the powder and guns from the fort, in the preceding winter, and to those who had removed the cannon from the battery. They also instructed the Representatives, how to act at the next meeting of the Assembly;

fembly ; and the voice of the convention was regarded by the House, as the voice of their constituents. 1775.

At the adjournment, the Governor again recommended 'the conciliatory proposition.' The first step which the House took, was in obedience to the voice of the convention, to expel three members whom the Governor had called by the King's writ, from three new townships ; whilst many other towns, of much older standing, and more populous, were neglected, and never enjoyed the privilege of representation, but in the newly-established conventions. The Governor then adjourned the Assembly to the eleventh of July. One of the expelled members, having spoken his mind freely without doors, was assaulted by the populace, and took shelter in the Governor's house. The people demanded him, and brought a gun, mounted on a carriage, to the door ; upon which the offender was delivered up, and conveyed to Exeter. The Governor, conceiving himself insulted, retired to the fort ; and his house became a scene of pillage. June 12.

When the Assembly met again, he sent a message from the fort, and adjourned them to the twenty-eighth of September ; July 11.

A a but

1775. but they never met any more. He continued under the protection of the Scarborough, and another ship of war, till all the remaining cannon of the fort were taken on board, and then sailed for Boston. In September he came to the Isles of Shoals, and there issued a proclamation, adjourning the Assembly to the next April. This was the last act of his administration, and the last time that he set his foot in the Province. Thus an end was put to the British Government in New-Hampshire, when it had subsisted ninety-five years.

Aug. 24.

From this view of the administration of Governor Wentworth, it is easy to conclude, that his intentions were pacific; and whilst the temper of the times allowed him to act agreeably to his own principles, his government was acceptable and beneficial; but when matters had come to the worst, his faults were as few, and his conduct as temperate, as could be expected from a servant of the Crown. If a comparison be drawn, between him and most of the other Governors on this continent, at the beginning of the revolution, he must appear to advantage. Instead of widening the breach, he endeavored to close it; and when his efforts failed, he retired from a situation,

a situation, where he could no longer ex- 1775.
ercise the office of a Governor ; leaving
his estate and many of his friends ; and
preserving only his commission, as surveyor
of the King's woods ; the limits of which
were much contracted by the succeeding
revolution.

C H A P. XXV.

*War with Britain. Change of Government.
 Temporary Constitution. INDEPENDENCE.
 Military exertions. Stark's expedition.
 Employment of troops during the war.*

1775. **W**HEN the controversy with Britain shewed symptoms of hostility, and the design of the Ministry and Parliament to provoke us to arms became apparent; the people of New-Hampshire began seriously to meditate the defence of their country. It was uncertain in what manner the scene would open; for this and other reasons no regular plan of operations could be formed. By the old militia law, every male inhabitant, from sixteen years old to sixty, was obliged to be provided with a musket and bayonet, knapsack, cartridge-box, one pound of powder, twenty bullets and twelve flints. Every town was obliged to keep in readiness one barrel of powder, two hundred pounds of lead and three hundred flints, for every sixty men; beside a quantity of arms and ammunition for the supply of such as were not able to provide themselves with the necessary

necessary articles. Even those persons who 1775. were exempted from appearing at the common military trainings, were obliged to keep the same arms and ammunition. In a time of peace, these requisitions were neglected, and the people in general were not completely furnished, nor the towns supplied according to law. The care which the Governor had taken to appoint officers of militia and review the regiments, for some years before, had awakened their attention to the duties of the parade; which were performed with renewed ardor, after the provincial convention had recommended the learning of military exercises and manœuvres. Voluntary associations were formed for this purpose, and the most experienced persons were chosen to command on these occasions. To prevent false rumors and confusion, the committees of inspection in each town were also committees of correspondence, by whom all intelligence concerning the motions of the British, were to be communicated; and proper persons were retained to carry expresses when there should be occasion.

In this state of anxiety and expectation; when an early spring had invited the husbandman to the labor of the field; General Gage thought it proper to open the

April 19.

1775. drama of war. The alarm was immediately communicated from town to town through the whole country, and volunteers flocked from all parts ; till a body of ten thousand men assembled in the neighborhood of Boston, completely invested it on the land side, and cut off all communication with the country.

On the first alarm, about twelve hundred men marched from the nearest parts of New-Hampshire, to join their brethren, who had assembled in arms about Boston. Of these, some returned ; others formed themselves into two regiments, under the authority of the Massachusetts Convention. As soon as the Provincial Congress of New-Hampshire met, they voted to raise two thousand men, to be formed into three regiments ; those which were already there to be accounted as two, and another to be enlisted immediately. These men engaged to serve till the last day of December, unless sooner discharged. The command of these regiments was given to the Colonels John Stark, James Reed and Enoch Poor. The two former were present in the memorable battle on the heights of Charlestown, being posted on the left wing, behind a fence ; from which they sorely galled the British as they

they advanced to the attack, and cut them ^{1775.} down by whole ranks at once. In their retreat they lost several men, and among others, the brave Major Andrew McClary, who was killed by a cannon shot after he had passed the isthmus of Charlestown. On the alarm occasioned by this battle, the third regiment collected and marched to the camp; and with the other New-Hampshire troops was posted on the left wing of the army at Winter-Hill, under the immediate command of Brigadier General Sullivan, who with the other general officers, received his appointment from Congress.

June 20.

It had been a common sentiment among the British troops, that the Americans would not dare to fight with them. This battle effectually convinced them of their mistake. They found that fighting with us was a serious thing; and the loss which they sustained in this battle, evidently had an influence on their subsequent operations.

Whilst the Scarborough frigate remained in the harbour of Piscataqua, frequent bickerings happened between her crew and the inhabitants. Captain Berkeley seized all inward bound vessels, and sent them to Boston. He also prevented the

1775. boats belonging to the river from going out to catch fish. This conduct was conformable to the orders which he had received to execute the restraining act. In return, his boats were not permitted to fetch provisions from the town ; and one of them was fired upon in the night, by some of the guards stationed on the shore. A compromise, at length, was made between him and the committee of the town; open boats were permitted to pass, to catch fish for the inhabitants ; and his boats were allowed to take fresh provisions for the use of the ship. This agreement subsisted but a short time, and finally all intercourse was cut off.

August 24.

After the departure of the ship, the people went in volunteer parties, under the direction of Major Ezekiel Worthen, whom the convention appointed Engineer, and built forts on the points of two islands, which form a narrow channel, about a mile below the town of Portsmouth. One of these was called Fort Washington, and the other Fort Sullivan. The cannon which had been saved from the old fort and battery were mounted here, and the town was thought to be secure from being surprised by ships of war.

The

The tenth of September was the last day of exportation fixed by the general Congress. Most of the vessels which sailed out of the harbor were seized by the British cruisers and carried into Boston. One was retaken by a privateer of Beverly and carried into Cape-Anne.

1775.

Sept. 10.

In the following month, several British armed vessels were sent to burn the town of Falmouth; which was in part effected, by throwing carcasses and sending a party on shore, under cover of their guns. It was suspected that they had the same design against Portsmouth. General Washington dispatched Brigadier General Sullivan from the camp at Cambridge, with orders to take the command of the militia and defend the harbour of Pascataqua. On this occasion, the works erected on the islands were strengthened; a boom, constructed with masts and chains, was thrown across the Narrows, which was several times broken by the rapidity of the current, until it was found impossible to secure the passage by such means; an old ship was scuttled and sunk in the northern channel of the river; a company of rifle-men, from the camp, was posted on Great-Island; and fire-rafts were constructed to burn the enemy's shipping.

Oct. 18.

These

1775. These preparations served to keep up the spirits of the people ; but many families, not thinking themselves safe in Portsmouth, removed into the country, and there remained till the next spring.

A spirit of violent resentment was excited against all who were suspected of a disposition inimical to the American cause. Some persons were taken up on suspicion and imprisoned ; some fled to Nova-Scotia, or to England, or joined the British army in Boston. Others were restricted to certain limits and their motions continually watched. The passions of jealousy, hatred and revenge were freely indulged, and the tongue of slander was under no restraint. Wise and good men secretly lamented these excesses ; but no effectual remedy could be administered. All commissions under the former authority being annulled, the courts of justice were shut, and the sword of magistracy was sheathed. The Provincial Convention directed the general affairs of the war ; and town committees had a discretionary, but undefined power to preserve domestic peace. Habits of decency, family government, and the good examples of influential persons, contributed more to maintain order than any other authority. The value of these secret bonds
of

of society was now more than ever conspicuous. 1775.

MS Rec-
ords of con-
vention.

In the convention which met at Exeter, in May, and continued sitting with but little interruption till November, one hundred and two towns were represented, by one hundred and thirty-three members. Their first care was to establish post offices; to appoint a committee of supplies for the army, and a committee of safety. To this last committee, the general instruction was similar to that, given by the Romans, to their Dictators, 'to take under consideration, all matters in which the welfare of the Province, in the security of their rights, is concerned; and to take the utmost care, that the public sustain no damage.* Particular instructions were given to them, from time to time, as occasion required. They were considered as the supreme executive; and during the recess of the convention, their orders and recommendations had the same effect as the acts and resolves of that whole body.

By an order of the convention, the former Secretary, Theodore Atkinson, Esq. delivered up the Province records, to a committee which was sent to receive them, and

* 'Ne quid detrimenti respublica capiat.'

1775. and Ebenezer Thompson, Esq. was appointed in his place. The records of deeds, and of the probate office, for the county of Rockingham, were also removed to Exeter, as a place of greater safety than Portsmouth. The former Treasurer, George Jaffrey, Esq. was applied to for the public money in his hands, which, to the amount of one thousand five hundred and sixteen pounds four shillings and eight pence, he delivered; and Nicholas Gilman, Esq. was appointed Treasurer in his room.

During this year, three emissions of paper bills were made. The first, of ten thousand and fifty pounds; the second, of ten thousand pounds; and the third, of twenty thousand pounds. For the amount of those sums, the Treasurer gave his obligation in small notes, which passed for a time, as current money, equal in value to silver and gold. But as emissions were multiplied, as the redemption of the bills was put off to distant periods, and the bills themselves were counterfeited, it was impossible for them long to hold their value.

Beside the three regiments which made part of the American army at Cambridge, a company

a company of artillery was raised to do ^{1775.}
duty at the forts. A company of rangers
was posted on Connecticut river; and
two companies more were appointed, to
be ready to march wherever the commit-
tee of safety should direct. The whole
militia was divided into twelve regiments;
the field officers were appointed by the
convention, and the inferior officers were
chosen by the companies. Out of the
militia were enlisted four regiments of
minute-men, so called, because they were
to be ready at a minute's warning. They
were constantly trained to military duty,
and when called to service, were allowed
the same pay as the regiments in the con-
tinental army. In the succeeding winter,
when the Connecticut forces had with-
drawn from the camp, because their time
of service was expired, sixteen companies
of the New-Hampshire militia, of sixty-
one men each, supplied their place, till the
British troops evacuated Boston. The
convention having been appoint-
ed for six months only; before the expira-
tion of that time, applied to the general
Congress for their advice, respecting some
mode of government for the future. In
answer to which, the Congress recom-
mended

1776. uents; having assumed the name and authority of a House of Representatives, they proceeded to choose twelve persons, to be a distinct branch of the legislature, by the name of a Council. Of these, five were chosen from the county of Rockingham, two from Strafford, two from Hillsborough, two from Cheshire and one from Grafton. These were empowered to elect their own President, and any seven of them were to be a quorum. It was ordained, that no act or resolve should be valid, unless passed by both branches of the legislature; that all money bills should originate in the House of Representatives; that neither House should adjourn for more than two days, without the consent of the other; that a Secretary, and all other public officers of the Colony, and of each County, for the current year, all general and field officers of militia, and all officers of the marching regiments, should be appointed by the two Houses; all subordinate militia officers by their respective companies; that the present Assembly should subsist one year, and if the dispute with Britain should continue longer; and the general Congress should give no directions to the contrary, that precepts should be issued annually to the several towns

towns on or before the first day of November for the choice of Counsellors and Representatives, to be returned by the third Wednesday in December. 1776.

In this hasty production, there were some material defects. One was the want of an executive branch of government. To remedy this, the two Houses, during their session, performed executive as well as legislative duty; and at every adjournment appointed a committee of safety, to sit in the recess, with the same powers, as had been given in the preceding year, by the convention. The number of this committee varied from six to sixteen. The President of the Council was also President of this executive Committee. The person chosen to fill this chair was an old, tried, faithful servant of the public, the honorable MESHECH WEARE, Esq. who was also appointed Chief Justice of the Superior Court. So great was the confidence of the people in this gentleman, that they scrupled not to invest him, at the same time, with the highest offices, legislative, executive, and judicial; in which he was continued by annual elections during the whole war.

This constitution was prefaced with several reasons for adopting government, viz.

B b

That

1776. That the British Parliament had, by many grievous and oppressive acts, deprived us of our native rights ; to enforce obedience to which acts, the ministry of that kingdom had sent a powerful fleet and army into this country, and had wantonly and cruelly abused their power, in destroying our lives and property ; that the sudden and abrupt departure of our late Governor, had left us destitute of legislation ; that no judicial Courts were open to punish offenders ; and that the continental Congress had recommended the adoption of a form of government. Upon these grounds the convention made a declaration in these words, ' We conceive ourselves *reduced to the necessity* of establishing a form of government, to continue during the present unhappy and unnatural contest with Great Britain ; protesting and declaring, that we never sought to throw off our dependence on Great-Britain ; but felt ourselves happy under her protection, whilst we could enjoy our constitutional rights and privileges ; and that we shall rejoice, if such a reconciliation between us and our parent State can be effected, as shall be approved by the continental Congress, in whose prudence and wisdom we confide.'

Such

Such was the language, and such were the sentiments of the people at that time; and had the British government, on the removal of their troops from Boston, treated with us, in answer to our last petition, upon the principle of reconciliation, and restored us to the state in which we were before the stamp-act was made, they might even then, have preserved their connexion with us. But in the course of a few months, we not only found our petitions disregarded, and our professions of attachment to the parent state treated as hypocritical, but their hostile intentions became so apparent, and our situation was so singular, that there could be no hope of safety for us, without dissolving our connexion with them, and assuming that equal rank among the powers of the earth for which nature had destined us, and to which the voice of reason and Providence loudly called us. Britain had engaged foreign mercenaries to assist in subjugating us; justice required that we should in our turn court foreign aid; but this could not be had; whilst we acknowledged ourselves subjects of that Crown against whose power we were struggling. The exertions which we had made, and the blood which we had shed, were deemed too great a price

1776. for reconciliation to a power which still claimed the right 'to bind us in all cases 'whatsoever,' and which held out to us unconditional submission, as the only terms on which we were to expect even a pardon. Subjection to a Prince who had thrown us out of his protection; who had ruined our commerce, destroyed our cities and spilled our blood; and who would not govern us at all, without the interposition of a legislative body, in whose election we had no voice, was an idea too absurd to be any longer entertained. These sentiments, being set in their just light by various publications and addresses, had such force as to produce a total change of the public opinion. Independence became the general voice of the same people, who but a few months before had petitioned for reconciliation. When this could not be had, but on terms disgraceful to the cause which we had undertaken to support, we were driven to that as our only refuge. The minds of the people at large in most of the Colonies being thus influenced, they called upon their delegates in Congress to execute the act which should sever us from foreign dominion, and put us into a situation to govern ourselves.* It

* On the 11th of June 1776, a committee was chosen by the Assembly of New-Hampshire 'to make a draught of a declaration of the General Assembly for the INDEPENDENCE of the united Colonies on 'Great-Britain, to be transmitted to our delegates in Congress.'

It ought ever to be remembered, that the declaration of our independence was made, at a point of time, when no royal Governor had even the shadow of authority in any of the Colonies; and when no British troops had any footing on this Continent. The country was then absolutely our own. A formidable force was indeed collected on our coasts, ready to invade us; and in the face of that armament this decisive step was taken. The declaration was received with joy by the American army then assembled at New-York. Within fourteen days it was published by beat of drum in all the shire towns of New-Hampshire. It relieved us from a state of embarrassment. We then knew the ground on which we stood, and from that time every thing assumed a new appearance. The jargon of distinctions between the limits of authority on the one side, and of liberty on the other, was done away. The single question was, whether we should be conquered Provinces, or free and independent States. On this question, every person was able to form his own judgment; and it was of such magnitude that no man could be at a loss to stake his life on its decision.

1776.

July 4.

July 18.

Observations on the American Revolution
p. 57, 58.

It

1776.

It is amusing to recollect, at this distance of time, that one effect of independence was an aversion to every thing which bore the name and marks of royalty. Sign boards on which were painted the King's arms, or the crown and sceptre, or the portraits of any branches of the royal family, were pulled down or defaced. Pictures and escutcheons of the same kind in private houses were inverted or concealed. The names of streets, which had been called after a King or Queen were altered; and the half-pence, which bore the name of George III, were either refused in payment, or degraded to farthings. These last have not yet recovered their value.

The new Assembly began their administration by establishing Judicial Courts, on the same system as before, excepting that the Court of Appeals, which had long been esteemed a grievance, was abolished, and all appeals to Great-Britain were prohibited. Appeals from the Probate Courts, which formerly came before the Governor and Council, were transferred to the Superior Court, whose judgment was now made final. Encouragement was given to fit out armed vessels, and a maritime Court was established for the trial of captures by sea.

sea. A law was made to punish the counterfeiting of the paper bills of this and of the United States ; and to make them ' a tender for any money due by deed or simple contract.' After the declaration of independence the style of *Colony* was changed for that of the STATE of New-Hampshire. A new law was enacted to regulate the militia. More paper bills were issued to pay the expenses of the war ; and provision was made for drawing in some of the bills by taxes. Doubts had arisen, whether the former laws were in force ; a special act was therefore passed, reviving and re-enacting all the laws which were in force, at the time when government was assumed ; as far as they were not repugnant to the new form, or to the independence of the Colonies, or not actually repealed.

1776.

The Congress having ordered several frigates to be built in different places ; one of thirty-two guns, called the Raleigh, was launched at Portsmouth, in sixty days from the time when her keel was laid ; but for want of guns and ammunition, and other necessities, it was a long time before she was completely fitted for the sea. The making of salt-petre was encouraged by a bounty ; and many trials were made before it was produced in pu-

May 21.

1776. rity. Powder mills were erected, and the manufacture of gunpowder was, after some time, established ; but notwithstanding all our exertions, foreign supplies were necessary.

For the service of this year, two thousand men were raised, and formed into three regiments, under the same commanders as in the former year. Three hundred men were posted at the forts in the harbour. Supplies of fire arms and ammunition were sent to the western parts of the State, and a regiment was raised in that quarter, under the command of Col. Timothy Bedel, to be ready to march into Canada.

The three regiments went with the army under General Washington to New York ; and thence were ordered up the Hudson, and down the lakes into Canada, under the immediate command of Brigadier General Sullivan. The design of this movement was to succour and reinforce the army, which had been sent, the preceding year, against Quebec ; and which was now retreating before a superior force, which had arrived from Britain, as early as the navigation of the St. Lawrence was opened. Our troops having met the retreating army at the mouth of the Sorel, threw up some slight works round their camp.

camp. General Thomas, who had com- 1776.
manded the army after the fall of the
brave Montgomery, was dead of the small-
pox. Arnold was engaged in stripping
the merchants of Montreal, under pre-
tence of supplying the army; and Thomp-
son was taken prisoner in an unsuccessful
attack on the village of Trois Rivières.
The command therefore devolved on Sul-
livan, who, finding a retreat necessary,
conducted it with great prudence. At this
time the American troops, and in particular
the regiments of New-Hampshire, had tak-
en the infection of the small-pox. The sick
were placed in batteaux, and with the
cannon and stores, were drawn against
the rapid current, by the strength of men
on shore, or wading in the water; and
so close was the pursuit of the enemy,
that they could scarcely find time to kin-
dle a fire to dress their victuals, or dry
their clothes. At St. John's the pursuit
ceased. On the arrival of our army at July 1.
Ticonderoga, Sullivan, being superseded
by Gates, returned to the main army at
New-York. The troops in the northern
department being reinforced by the mili-
tia of the neighbouring States, fortified the
posts of Ticonderoga and Mount Indepen-
dence. Beside the small-pox, a dysentery
and

1776. and putrid fever raged among them ; and it was computed, that of the New-Hampshire regiments, nearly one third part died this year by sickness.

When the danger of an attack on Ticonderoga for that season, was passed, the remaining part of the New-Hampshire troops marched by the way of the Minisinks, into Pennsylvania. There they joined General Washington, and assisted in the glorious capture of the Hessians at Trenton, and afterward in the battle of Princeton. Though worn down with fatigue, and almost destitute of clothing, in that inclement season, they continued in the service six weeks after the term of their enlistment had expired ; and two regiments of the militia which were sent to reinforce the army remained till March.

December
& January.

1777. By this time the inconvenience of maintaining an army, by annual enlistments and temporary levies, was severely felt, and generally reprobated ; and the Congress, though slow in listening to remonstrances on this head, were obliged to adopt a more permanent establishment. In recruiting the army for the next year, the officers were appointed by Congress, during the war ; and the men enlisted either for that term, or for

for three years. The commanders of the three regiments of New-Hampshire, were the Colonels Joseph Cilley, Nathan Hale and Alexander Scammell. These regiments were supplied with new French arms; and their rendezvous was at Ticonderoga, under the immediate command of Brigadier General Poor. There they remained, till the approach of the British army under General Burgoyne, rendered it eligible to abandon that post. On the retreat, Col. Hale's battalion was ordered to cover the rear of the invalids, by which means, he was seven miles behind the main body. The next morning he was attacked, by an advanced party of the enemy at Hubberton. In this engagement, Major Titcomb of the New-Hampshire troops, was wounded. Col. Hale, Captains Robertson, Carr, and Norris, Adjutant Elliot, and two other officers were taken prisoners, with about one hundred men. The main body of the army continued their retreat to Saratoga. On their way they had a skirmish with the enemy at Fort Anne, in which Captain Weare, son of the President, was mortally wounded, and died at Albany.

1777.

July 6.

Immediately after the evacuation of Ticonderoga, the committee of the New-Hampshire

1777-

July 8.
Original
letters in
files.

Hampshire Grants (who had now formed themselves into a new State) wrote in the most pressing terms, to the committee of safety at Exeter for assistance, and said that if none should be afforded to them, they should be obliged to retreat to the New-England States for safety. When the news of this affair reached New-Hampshire, the Assembly had finished their spring session and returned home. A summons from the committee brought them together again; and in a short session of three days only, they took the most effectual and decisive steps for the defence of the country. They formed the whole militia of the State into two Brigades; of the first they gave the command to William Whipple, and of the second to John Stark. They ordered one fourth part of Stark's brigade, and one fourth of three regiments of the other brigade, to march immediately under his command, 'to stop the progress of the enemy on our western frontiers.' They ordered the militia officers, to take away arms, from all persons, who scrupled or refused to assist, in defending the country; and appointed a day of fasting and prayer, which was observed with great solemnity.

The

The appointment of Stark, to this command, with the same pay as a Brigadier in the Continental service, was peculiarly grateful to the people as well as to himself. In an arrangement of general officers, in the preceding year, a junior officer had been promoted, whilst he was neglected. He had written on this subject to Congress, and his letters were laid on the table. He therefore quitted the army, and retired to his own estate. He was now by the unanimous voice of his fellow-citizens, invested with a separate command, and received orders to 'repair to Charlestown on Connecticut river; there to consult with a committee of the New-Hampshire Grants, respecting his future operations and the supply of his men with provisions; to take the command of the militia and march into the Grants; to act in conjunction with the troops of that new State, or any other of the States, or of the United States, or separately, as it should appear expedient to him; for the protection of the people and the annoyance of the enemy.'

In a few days he proceeded to Charlestown, and as fast as his men arrived, he sent them forward, to join the forces of the new State, under Col. Warner, who had

1777.

MS copy
of orders
on file

1777.

Aug. 7.

MS copy of
Lincoln's
letter.

had taken post at Manchester, twenty miles northward of Bennington. Here Stark joined him, and met with General Lincoln, who had been sent from Stillwater, by General Schuyler, commander of the northern department, to conduct the militia to the west side of Hudson's river. Stark informed him of his orders, and of the danger which the inhabitants of the Grants apprehended from the enemy, and from their disaffected neighbours; that he had consulted with the committee, and that it was the determination of the people, in case he should join the Continental army and leave them exposed, that they would retire to the east of Connecticut river; in which case New-Hampshire would be a frontier. He therefore determined to remain on the flank of the enemy, and to watch their motions. For this purpose he collected his force at Bennington, and left Warner with his regiment at Manchester. A report of this determination was transmitted to Congress, and the orders on which it was founded were by them disapproved; but the propriety of it was evinced by subsequent facts.

Aug. 9.

Aug. 9.

General Burgoyne, with the main body of the British army lay at Fort Edward. Thence he detached Lieut. Col. Baum, with about fifteen hundred of his German troops,

troops, and one hundred Indians, to pervade the Grants as far as Connecticut river, with a view to collect horses to mount the dragoons, and cattle, both for labour and provisions; and to return to the army with his booty. He was to persuade the people among whom he should pass, that his detachment was the advanced guard of the British army, which was marching to Boston. He was accompanied by Colonel Skeene, who was well acquainted with the country; and he was ordered to secure his camp by night.

The Indians, who preceded this detachment, being discovered about twelve miles from Bennington; Stark detached Col. Greg, with two hundred men, to stop their march. In the evening of the same day, he was informed that a body of regular troops, with a train of artillery, was in full march for Bennington. The next morning he marched with his whole brigade, and some of the militia of the Grants, to support Greg, who found himself unable to withstand the superior number of the enemy. Having proceeded about four miles, he met Greg retreating, and the main body of the enemy pursuing, within half a mile of his rear. When they discovered Stark's column, they halted in an advantageous

1777.

MS copy
of Bur-
goyne's or-
ders.

Aug. 13.
Stark's MS
letters in
the files.

Aug. 14.

1777. advantageous position; and he drew up his men on an eminence in open view; but could not bring them to an engagement. He then marched back, about a mile, and encamped; leaving a few men to skirmish with them; who killed thirty of the enemy and two of the Indian chiefs. The next day was rainy. Stark kept his position, and sent out parties to harraßs the enemy. Many of the Indians took this opportunity to desert; because, as they said, 'the woods were full of yankees.'

Aug. 15.

Aug. 16.

On the following morning Stark was joined by a company of militia from the Grants, and another from the county of Berkshire in Massachusetts. His whole force amounted to about sixteen hundred. He sent Col. Nichols, with two hundred and fifty men, to the rear of the enemy's left wing; and Col. Hendrick, with three hundred, to the rear of their right. He placed three hundred to oppose their front and draw their attention. Then sending Colonels Hubbard and Stickney, with two hundred to attack the right wing, and one hundred more to reinforce Nichols in the rear of their left, the attack began in that quarter precisely at three of the clock in the afternoon. It was immediately seconded by the other detachments; and at the same

same time Stark himself advanced with the main body. The engagement lasted two hours ; at the end of which he forced their breastworks, took two pieces of brass cannon and a number of prisoners ; the rest retreated. 1777.

Just at this instant, he received intelligence that another body of the enemy was within two miles of him. This was a reinforcement for which Baum had sent, when he first knew the force which he was to oppose. It was commanded by Col. Breyman. Happily Warner's regiment from Manchester came up with them and stopped them. Stark rallied his men and renewed the action ; it was warm and desperate ; he used, with success, the cannon which he had taken ; and at sunset obliged the enemy to retreat. He pursued them till night, and then halted, to prevent his own men from killing each other, in the dark. He took from the enemy two other pieces of cannon, with all their baggage, waggons and horses. Two hundred and twenty-six men were found dead on the field. Their commander, Baum, was taken and died of his wounds ; beside whom, thirty-three officers, and above seven hundred privates, were made prisoners. Of Stark's brigade four officers and

1777. ten privates were killed and forty-two were wounded.

Aug. 13.

In the account of this battle, which Stark sent to the committee of New-Hampshire, he said, 'our people behaved with the greatest spirit and bravery imaginable. Had every man been an Alexander, or a Charles of Sweden, they could not have behaved better.' He was sensible of the advantage of keeping on the flank of the enemy's main body; and therefore sent for one thousand men to replace those whose time had expired; but intimated to the committee that he himself should return with the brigade. They cordially thanked him 'for the very essential service which he had done to the country,' but earnestly pressed him to continue in the command; and sent him a reinforcement, 'assuring the men that they were to serve under General Stark.' This argument prevailed with the men to march, and with Stark to remain.

The prisoners taken in this battle were sent to Boston. The trophies were divided between New-Hampshire and Massachusetts. But Congress heard of this victory by accident. Having waited some time in expectation of letters, and none arriving; inquiry was made why Stark had

1777

had not written to Congress? He answered, that his correspondence with them was closed, as they had not attended to his last letters. They took the hint; and though they had but a few days before resolved, that the instructions which he had received were destructive of military subordination, and prejudicial to the common cause; yet they presented their thanks to him, and to the officers and troops under his command, and promoted him to the rank of a Brigadier General, in the army of the United States.

This victory gave a severe check to the hopes of the enemy, and raised the spirits of the people after long depression. It wholly changed the face of affairs in the northern department. Instead of disappointment and retreat, and the loss of men by hard labor and sickness; we now were convinced, not only that our militia could fight without being covered by intrenchments; but that they were able, even without artillery, to cope with regular troops in their intrenchments. The success thus gained was regarded as a good omen of farther advantages. 'Let us get them in to the woods,' was the language of the whole country. Burgoyne was daily putting his army into a more hazardous situation;

1777.

ation; and we determined that no exertion should be wanting on our part to complete the ruin of his boasted enterprise. The northern army was reinforced by the militia of all the neighbouring States. Brigadier Whipple marched with a great part of his brigade; besides which, volunteers in abundance from every part of New-Hampshire flew to the army under General Gates. Two desperate battles were fought, the one at Stillwater and the other at Saratoga; in both of which, the troops of New-Hampshire had a large share of the honor due to the American army. In the former action, two Lieutenant Colonels, Adams and Colburne, and Lieutenant Thomas, were slain in the field; and several other brave officers were wounded, one of whom, Captain Bell, died in the hospital. In the latter, Lieut. Col. Conner and Lieut. McClary were killed, with a great number of their men; and Col. Scammel was wounded. The consequence of these battles was the surrender of Burgoyne's army. This grand object being attained, the New-Hampshire regiments performed a march of forty miles, and forded the Mohawk river, below the falls, in the space of fourteen hours. The design of this rapid movement

movement was to check the progress of a detachment, commanded by the British General Clinton; who threatened Albany with the same destruction which he had spread in the country below; but on hearing the fate of Burgoyne, he returned quietly to New-York. The regiments then marched into Pennsylvania and passed the winter in huts at Valley-forge. Beside those officers slain at the northward, we sustained a loss in the death of Major Edward Sherburne, Aid-de Camp to General Sullivan, who was killed in a bold, but unsuccessful action at Germantown.

1777.

After the capture of Burgoyne's army, all danger of invasion from Canada ceased; and the theatre of the war was removed to the southward. The troops of New-Hampshire, being formed into a distinct brigade, partook of all the services and sufferings, to which their brethren were exposed. In the battle of Monmouth, a part of them were closely engaged, under the conduct of Col. Gilley and Lieut. Col. Dearborn, and behaved with such bravery as to merit the particular approbation of their illustrious General. They continued with the main body, all that campaign, and were huted, in the following winter, at Reading.

1778.

1778.



In the summer of 1778, when a French fleet appeared on our coast, to aid us in the contest with Britain; an invasion of Rhode-Island, then possessed by the British, was projected, and General Sullivan had the command. Detachments of militia and volunteers, from Massachusetts and New-Hampshire, formed a part of his troops. But a violent storm, having prevented the co-operation of the French fleet, and driven them to sea; the army, after a few skirmishes, was under the disagreeable necessity of quitting the island; and the retreat was conducted by Sullivan with the greatest caution and prudence.

1779.



When an expedition into the Indian country was determined on, General Sullivan was appointed to the command, and the New-Hampshire brigade made a part of his force. His route was up the river Susquehanna into the country of the Senecas; a tract imperfectly known, and into which no troops had ever penetrated. The order of his march was planned with great judgment, and executed with much regularity and perseverance. In several engagements with the Savages, the troops of New-Hampshire behaved with their usual intrepidity. Capt. Cloyes and Lieut. McAulay were killed, and Major Trenchard

was

was again badly wounded. The provisions of the army falling short, before the object of the expedition was completed, the troops generously agreed to subsist on such as could be found in the Indian country. After their return, they rejoined the main army, and passed a third winter in huts, at Newtown in Connecticut. In the latter end of this year Sullivan resigned his command and retired. 1779.

In the following year, the New-Hampshire regiments did duty at the important post of West-Point, and afterward marched into New-Jersey, where General Poor died. Three regiments of militia were employed in the service of this year. The fourth winter was passed in a hutted cantonment, at a place called Soldier's Fortune, near Hudson's river. In the close of this year, the three regiments were reduced to two, which were commanded by the Colonels Scammel and George Reid. 1780.

The next year, a part of them remained in the State of New-York, and another part marched to Virginia, and were present at the capture of the second British army, under Earl Cornwallis. Here the brave and active Col. Scammel was killed. In the winter, the first regiment, commanded by Lieut. Col. Dearborn, was 1781.

1782. quartered at Saratoga, and the second on Mohawk river ; in which places they were stationed, till the close of the following year ; when the approach of peace relaxed the operations of war. In a few months, the negotiations were so far advanced, that a treaty was made ; and the *same* royal lips, which from the throne had pronounced us 'revolted subjects,' now acknowledged us as 'FREE AND INDEPENDENT STATES.'

CHAP.

C H A P. XXVI.

Paper-money. Confiscations. State Constitution. Controversy with Vermont.

THE war in which we became involved with Britain, found us not destitute of resources, but unskilled in the art of finance. Former wars had been maintained by a paper currency; which, though it depreciated in some measure, yet was finally redeemed by the reimbursements which we received from the British Treasury. We had been also used to issue bills on loan, and receive landed property as security for its redemption. To the same mode we had recourse on this occasion, without either of the foundations on which our former currencies had been supported. Bills of credit were emitted with no other fund for their redemption than taxation, and that deferred to distant periods. It was imagined that the justice of our cause, and the united ardor and patriotism of the people, would preserve the value of these bills during the contest which we were very sanguine would be short; and in fact the circulation of them
for

1776. for the first year was supported by no other means. But being counterfeited, they began to depreciate, and then it was thought necessary to enact a law against forging them, and to make them a legal tender in all payments. In some of the States, these bills were made a tender for the interest, but not for the principal of former debts; but in New-Hampshire, if the creditor should refuse them when offered in payment, the whole debt was cancelled. Had this law regarded future contracts only, every man would have known on what terms to make his engagements; but to declare it legal to pay debts, already contracted, with money of an inferior value, was altogether unjust. It was not in human power to prevent a depreciation of the bills; and the enforcing of their currency accelerated the destruction of their value. The fraudulent debtor took advantage of this law to cheat his creditor, under colour of justice; while the creditor had no other refuge, than in some cases privately to transfer the written obligation; and in other cases to refuse the tender, at the risque indeed of losing the debt; but in hope that justice would at some future time have its course. His bandmen, who lived remote from the focus of

of hostilities; and who had the produce of the earth at their command, were able to keep their property good. Hawkers and monopolisers, who crept from obscurity and assumed the name of merchants, could even increase their substance in these perilous times. But those persons whose property was in other men's hands; or whose living depended on stated salaries; or whose honest minds could not descend to practise knavery, though established by law, were doomed to suffer.

1776.

To palliate these evils, at one time, a law was enacted against monopoly and extortion; and when found impracticable, it was repealed. At other times, the prices of different articles were stated under severe penalties; but ways were soon found to evade these establishments; and when found ineffectual, the laws were repealed. It is not consistent with the nature of commerce to bear such restrictions; and the laws increased the evils which they pretended to cure. At another time public sales by auction were prohibited, because it was said that they were the means of depreciating the currency; but in fact they served only to demonstrate its real value. There was a disposition in the governing part of the people to keep out

1777.

1777.

Circular
letter of
Sept. 13,
1779.

of fight the true cause of this grow-
mischief. Even the general Congress,
a public address which they ordered to
read in the congregations, assembled for
religious worship, after saying much in
praise of paper money, told us, that it was
the *only* kind of money which could not
take to itself wings and fly away.' Had

then the language of bur-
den had been received with a
sensible assent, it was an insult
to the feelings of honest men.

of these distresses, frequent
bodies of men were
some practicable modes

of relief. Committees of counties, and of
different States, at various times, formed
projects, and issued public addresses; but
palliatives in this, as in all other cases,
soon lost their efficacy. From one of these
Conventions, holden at Springfield, and
composed of delegates from the New-Eng-
land States and New-York; a letter was
addressed to the general Congress, which
put them on devising means to surmount
the existing difficulties. Among other ex-
pedients they recommended effectual tax-
ation, the opening of loan-offices, and that
the States individually should emit no
more bills of credit. These were salutary
proposals;

July and
August.
MS mi-
nutes of
Conven-
tion.

proposals ; but the most notable effect of this letter was a recommendation from Congress to the several States ‘to confiscate and make sale of all the real and personal estates of such of their inhabitants and other persons as had forfeited the same, and the right to the protection of their respective States ; and to invest the money arising from the sales in continental loan certificates, to be appropriated as the respective States should direct.’

1777.
Journal of
Congress,
Nov. 27.

This was a delicate point, and required the most critical discussion. It involved a question of national law ; and some persons who were acquainted with the subject, thought such a step not only illegal, but impolitic and dangerous. In cases of war between independent nations, acknowledging no common superior, the acquisition of immoveable property is not complete till confirmed by a treaty of peace. The war between America and Britain was so far a war between two independent nations, that the common laws of war ought to have been observed. Had the estates of absentees been taken into possession, and the income arising from them been applied to the support of the war ; and had the question of property remained undecided till

Vattel.

1777. till the conclusion of a peace, there is no doubt that the State would have been a gainer both in reputation and interest; but when we were daily cheating and deceiving ourselves with a fraudulent paper medium, it is not strange that the voice of justice toward those whom we deemed our enemies could not be heard.

1778. The first step toward executing this recommendation of Congress, was an act proscribing certain persons, to the number of seventy-six, who had at various times, and for various reasons, quitted this State. These were forbidden to return without leave, under the penalty of transportation; and in case of a second return, they were to suffer death.

The next step, was to confiscate the whole estate, real and personal, of twenty-eight of the proscribed; of whom it was declared that they had ‘justly forfeited all
‘right to protection from the State; and
‘also their right to any farther enjoyment
‘of their interest and property within it.’

In these acts, no distinction was made between those persons who had withdrawn themselves from the State, by a sense of their duty; those who were in fact British subjects, but occasionally resident here; those who had absconded through timidity;
and

and those who had committed crimes against express law, and had fled from justice. No conditional offer of pardon was made; no time was allowed for any to return and enter into the service of the country; but the whole were put indiscriminately into one *black list*, and stigmatised as 'having basely deserted the cause of liberty, and manifested a disposition inimical to the State, and a design to aid its enemies in their wicked purposes.'

1778.
—

Some persons who had legal demands on these estates, had for the security of their debts laid attachments on them; but by another act, all attachments which had been made since the commencement of hostilities, were declared null and void, and the Courts were required to dismiss them.

Trustees were appointed in each county to take possession of all these estates, real and personal; and to sell the personal immediately at public auction; with a discretionary power to leave out of the sale, such articles as they should deem necessary, to the support of the families of the proscribed. To preserve some farther appearance of justice, the creditors of these estates, though they were not allowed to bid at the auctions without payment, were ordered

HISTORY OF

1778
dered to exhibit their claims to the trustees, and in cases of insolvency, all claims were to be settled by the Judges of Probate.

Whilst the settlement of these estates was going on, the money was rapidly depreciating. After the year 1777, the State issued no more bills, and the former were called in and exchanged for Treasurer's notes on interest, of a value not less than five pounds. The Continental bills continued passing and depreciating till the spring of 1781, when suddenly, and by general consent, they went out of circulation, and solid coin succeeded in their place.

Then a scale of depreciation for the preceding years of the war was framed, and all past payments were regulated by it. The treaty of peace obliged us to proceed no farther in the matter of confiscations.

By a subsequent act, the Judges of Probate were empowered to liquidate by the scale of depreciation, the sums paid into the Treasury by the Trustees; to receive claims against the estates, and to adjust and certify the same to the President; who was authorised to order the Treasurer, to issue notes, bearing interest from the time when the said sums were paid into the Treasury; which notes the creditors were to receive in payment; but if any of the estates should

March 1,
1783.

should prove insolvent, then the creditors were to receive their average. In this manner some of these estates have been settled and the creditors paid; others remain unsettled. Some of them barely paid the expenses of their management; others were rendered insolvent. The estate of the late Governor paid all the demands upon it excepting that of his father; who generously withdrew his claim that the other creditors might be paid in full.*

The

* The following papers are taken from the Registry of Probate for the county of Rockingham.

' *Rockingham, ff. Feb. 16, 1786.* I hereby certify, that the sums against each person's name herein set down, were respectively due to them the last day of July 1782, from the estate of the late Governor, John Wentworth, Esq. at which time it appears there had been received into the Treasury, a sufficiency to pay all the demands, exhibited against him, except his father's; who has withdrawn his, that the others might be paid in full. P. White, Judge of Probate.'

' *Portsmouth, Feb. 6, 1785.* Sir, After considering the great delays in settling the demands against the estate of my son, Governor Wentworth, and the probability, from the ill management thereof, before it fell under your direction, that it will be greatly insolvent; and feeling for the distress on many of the creditors, and wishing that all may have their just demands paid, I have determined to remove their embarrassment as far as I can, by withdrawing my account and claim, until theirs be fully adjusted and discharged, by you or other proper officers. Reserving to myself still the right of claiming, if there should be found a surplus or balance in his favor. For as proved by my account and authentic vouchers ready to be produced, that, exclusive of my account before, I have paid off several creditors to a considerable amount, since he left this government; and had also greatly augmented the value of his estate at Wolfborough, by my advances and care thereof, all to the benefit of his present creditors. I shall therefore be greatly obliged, by your directing that my account be sent me; and I shall hope for your future friendly interposition, if it should be found necessary; being, with the highest esteem and respect, your most humble servant,

Mark H. Wentworth.

' Phillips White, Esq.'

A *gtaera*.

D d

1778.

HISTORY OF

clear profit to the State from all these
operations, as far as it has been ascer-
tained, is inconsiderable.

Power, when delegated without restric-
tion, and for the abuse of which the
State is not held accountable, has a
strong tendency toward despotism. The
constitution which we had adopted

at the beginning of the war, was
by no means calculated to have many im-
plications; the necessity of checks

and exclusions became every day more evi-
dent. Other States were forming consti-

tutions on certain established principles,
and defining their rights as a preliminary
to the delegation of power. An attempt

1779. of the like kind was made in New-Hamp-
shire. A convention of delegates, chosen
for the purpose, drew up and sent abroad
a system of government; but so deficient
was it in its principles, and so inadequate
in its provisions, that being proposed to
the

A general statement of the claims against the confiscated estate of
late Governor John. Wentworth, and the neat proceeds from the sale
of it; the account being not yet settled. April, 1792

Dr. The claim of M. H. Wentworth, proved by
authentic vouchers,

Amount of other claims, proved as above,

Paid to several other creditors, since the
Governor's absence, by Mr. H. Went-
worth,

£47 Paid into the Treasury by the Trustees
for said estate,

10435 8 6

the people, in their town-meetings, it was 1779.
 rejected. Another convention was ap-
 pointed, which had more advantage than
 the former, the neighbouring State of
 Massachusetts having digested and adopted
 a constitution, which was supposed to be
 an improvement on all which had been
 framed in America. This convention had
 no less than nine sessions, and continued
 for more than two years. In the first plan
 of government which they composed, they
 distinctly stated the alienable and unalien-
 able rights of the people. They divided
 the government into three branches, le-
 gislative, executive and judicial, and defin-
 ed the limits of each. The legislative
 branch was composed of a Senate and
 House of Representatives. The Senate
 was to consist of twelve persons, five for
 the county of Rockingham, two for Straf-
 ford, two for Hillsborough, two for Che-
 shire and one for Grafton. These were
 to be voted for in town-meetings, and the
 votes sealed and returned to the Secretary's
 office. The number of Representatives
 was limited to fifty, and apportioned a-
 mong the counties, thus ; twenty for
 Rockingham ; eight for Strafford ; ten for
 Hillsborough ; eight for Cheshire ; and
 four for Grafton. These were to be elect-

From June
 1781, to
 Oct. 1783.

1781.

1782. Particular attention was given to the mode of appointing officers of militia. Instead of superior officers being chosen by their inferiors, and inferior officers by the privates, as had been practised since the beginning of the war, the order of appointment was reversed, and the privates had no power of choice at all. This was said to be necessary to the preservation of harmony, subordination and discipline. The second plan being sent out was generally approved; but it was not completed at the time when the news of peace arrived.

1783.

March and April.

Oct. 31.

1784.

The old form having expired with the war, it was, by the votes of the people in their town-meetings, revived and continued for one year longer. In the following autumn, the new form was finished; and the name of Governor being changed to President, it was a third time printed and declared to be 'the civil constitution for the State of New-Hampshire.' It took place on the second day of the following June, and was introduced at Concord by a religious solemnity, which has since been repeated at every annual election.

To the convention which formed this constitution several towns in the western part of the State did not send delegates. The cause of this omission, and of some other

other eccentricities in the conduct of the people in that quarter must now be explained. 1784.

The inhabitants of the district on the western side of Connecticut river, which was severed from New-Hampshire in 1764, had been engaged in a long and bitter controversy with the government of New-York. They had even been obliged to have recourse to arms in defence of their estates; and frequent acts of violence had been committed. There was among them a set of intrepid men, ready to encounter dangers, and trained to hardy enterprise. At the commencement of hostilities, by the advice of some principal opposers of the British Government, in the other Colonies, a company of those people styling themselves Green Mountain Boys, marched to Ticonderoga, and wrested that fortress, together with Crown-Point, out of the hands of the British garrisons. A regiment of them was embodied by order and in the pay of the general Congress. Their exertions in the common cause were meritorious and their services were acceptable.

1775.

Soon after the declaration of independence, the inhabitants of that territory assembled in convention to consider their

1776.

1776. peculiar situation and concert measures for their safety. The opportunity which then presented for a change in their political connexions, was too precious to be lost. By the dissolution of the bonds which had held America in subjection to the Crown of Britain, they conceived themselves free from the government of New-York, to which the most of them had never voluntarily submitted; and, being as they said, reduced to 'a state of nature,' they thought that they had a right to form such connexions as were agreeable to themselves. Accordingly they made and published a declaration; 'that they would at all times consider themselves as a free and independent State; capable of regulating their own internal police; that they had the sole exclusive right of governing themselves, in such manner as they should choose, not repugnant to the resolves of Congress; and that they were ready to contribute their proportion to the common defence.' Under the influence of these principles, they formed a plan of government and a code of laws, and petitioned Congress to receive them into the union.

1777.
Jan. 15. '

The inhabitants on the eastern side of Connecticut river were very conveniently situated

situated to unite with those on the western side, and many of them had the same principles and views. They argued that the original grant of New-Hampshire to Mason was circumscribed by a line drawn at the distance of sixty miles from the sea; that all the lands westward of that line, being royal grants, had been held in subjection to the government of New-Hampshire by force of the royal commissions, which were vacated by the assumed independence of the American Colonies; and therefore that the inhabitants of all those lands had 'reverted to a state of nature.' By this expression, however, they did not mean that each individual was reduced to such a state; but that each town retained its corporate unity, unconnected with any superior jurisdiction. They distinguished between commissions derived from the King, which were revokable at his pleasure, and incorporations held on certain conditions, which being performed, the powers and privileges granted by the incorporations were perpetual. They asserted that jurisdictions established by royal commissions could bind a people together no longer than the force which first compelled continues to operate; but when the coercive power of the King was rejected, and
its

1778.

Observations on the right of jurisdiction over N. H. Grants. Printed 1778.

Public defence of the right of N. Hampshire Grants &c. Printed 1779.

1778. its operation had ceased, the people had a right to make a stand at the first legal stage, viz. their town incorporations. These by universal consent were held sacred; hence they concluded that the major part of each one of those towns had a right to control the minor part; and they considered themselves as so many distinct corporations, until they should agree to unite in one aggregate body.

In these sentiments the people were not all united. The majority of some towns was in favor of their former connexion, and in those towns where the majority inclined the other way, the minority claimed protection of the government.

They supposed that the existence of their town-incorporations, and of the privileges annexed to them, depended on their union to New-Hampshire; and that their acceptance of the grants was in effect an acknowledgment of the jurisdiction, and a submission to the laws of the State; from which they could not fairly be disengaged without its consent; as the State had never injured or oppressed them.

Much pains, were taken, by the other party, to disseminate the new ideas. Conventions were held, pamphlets were printed, and at length a petition was drawn

drawn in the name of sixteen towns* on the eastern side of Connecticut river, requesting the new State, which had assumed the name of VERMONT, to receive them into its union, alleging, 'that they were 'not connected with any State, with respect to their internal police.' The Assembly at first appeared to be against receiving them; but the members from those towns which were situated near the river on the west side, declared that they would withdraw and join with the people on the east side, in forming a new State. The question was then referred to the people at large, and means were used to influence a majority of the towns to vote in favor of the union, which the Assembly could not but confirm. The sixteen towns were accordingly received; and the Vermont Assembly resolved, that any other towns on the eastern side of the river might be admitted on producing a vote of a majority of the inhabitants, or on the appointment of

MSS in N. Hampshire files.

June 11,

* 1 Cornish,

2 Lebanon,

3 Dresden, { a name given to the district belonging to Dartmouth College; but now disused.

4 Lime,

5 Orford,

6 Piermont,

7 Haverhill,

8 Bath,

9 Lyman,

10 Aptorp { now divided into Littleton and Dalton.

11 Enfield,

12 Canaan,

13 Cardigan, now Orange,

14 Landaff,

15 Guntwaite, now New Concord.

16 Morris-town, now Franconia

1778. of a Representative. Being thus admitted
 into the State of Vermont, they gave notice to the government of New-Hampshire, of the separation which they had made, and expressed their wish for an amicable settlement of a jurisdictional line, and a friendly correspondence.

June 25.

Aug. 22.

The President of New-Hampshire, in the name of the Assembly, wrote to the Governor of Vermont, claiming the sixteen towns as part of the State, the limits of which had been determined prior to the revolution; reminding him that those towns had sent delegates to the convention in 1775; that they had applied to the Assembly for arms and ammunition, which had been sent to them; that their military officers had accepted commissions and obeyed orders from the government; that the minority of those towns was averse to a disunion, and had claimed protection of the State, which the Assembly thought themselves bound to afford; and beseeching him to use his influence with the Assembly of Vermont to dissolve the newly formed connexion.

Aug. 19.

At the same time, the President wrote to the delegates of the State in Congress; desiring them to take advice and endeavour to obtain the interposition of that body; intimating

intimating his apprehension, that without it, the controversy must be decided by the sword, as every condescending measure had been used from the beginning and rejected. 1778.

The Governor and Council of Vermont sent a messenger to Congress to see in what light the new State was viewed by them. On his return he reported, that the Congress was unanimously opposed to the union of the sixteen towns with Vermont; otherwise they (excepting the delegates of New-York) had no objection to the independence of the new State.

At the next session of the Vermont Assembly at Windsor, when the Representatives of the sixteen towns had taken their seats, a debate arose on a question, whether they should be erected into a new county, which passed in the negative. Conceiving that they were not admitted to equal privileges with their brethren, the members from those towns withdrew; and were followed by several others belonging to the towns adjoining the river on the west side. They formed themselves into a convention, and invited all the towns on both sides of the river to unite, and set up another State by the name of New-Connecticut. This secession had nearly proved fatal to the State

October.

1778. State of Vermont. A ridge of mountains which extends from south to north through that territory, seemed to form not only a natural, but a political line of division. A more cordial union subsisted between the people on the eastern side of the Green Mountains, and the eastern side of Connecticut river, than between the latter and those on the western side of the mountains; but these alone were insufficient, without the others, to make a State. The Governor, and other leading men of Vermont, who resided on the west side of the Mountains, wrote letters to the Assembly of New-Hampshire, informing them of the separation, and expressing their disapprobation of a connexion with the sixteen towns. The Assembly regarded these letters as ambiguous, and as not expressing a disinclination to any *future* connexion with them. Jealousy is said to be a republican virtue; it operated on this occasion, and the event proved that it was not without foundation.

Dec 9. A convention of delegates from several towns on both sides of the river assembled at Cornish and agreed to unite, without any regard to the limits established by the King in 1764; and to make the following proposals to New-Hampshire, viz. either

to

to agree with them on a dividing line, or to submit the dispute to Congress, or to arbitrators mutually chosen. If neither of these proposals were accepted, then, in case they could agree with New-Hampshire on a form of government, they would consent that 'the whole of the grants on both sides of the river should connect themselves with New-Hampshire, and become one entire State, as before the royal determination in 1764.' Till one or other of these proposals should be complied with, they determined 'to trust in Providence and defend themselves.'

1778.

An attempt was made in the following year to form a constitution for New-Hampshire, in which the limits of the State were said to be the same as under the royal government 'reserving nevertheless our claim to the New-Hampshire Grants west of Connecticut river.' Though this form of government was rejected by a majority of the people; yet there was a disposition in a great part of the Assembly to retain their claim to the whole of the grants westward of the river. At the same time the State of New-York set up a claim to the same lands, and it was suspected, perhaps not without reason, that intrigues were forming to divide Vermont between New-

1779.

1779. New-Hampshire and New-York, by the ridge of mountains which runs through the territory. . . Certain it is that the Vermonters were alarmed ; and, that they might have the same advantage of their adversaries, they extended their claim westward into New-York and eastward into New-Hampshire ; and thus not only the sixteen towns, but several other towns in the counties of Cheshire and Grafton, became incorporated with Vermont by ‘articles of union and confederation.’

It is not easy to develope the intrigues of the several parties, or to clear their transactions from the obscurity which surrounds them.* He who looks for consistency in the proceedings of the Conventions and Assemblies which were involved in this controversy, will be disappointed. Several interfering interests conspired to perplex the subject. The people on the western side of the Green Mountains, wished to have the seat of government among them. Those adjoining Connecticut river, on both sides, were desirous of bringing the centre of jurisdiction to the verge of

* The author has spared no pains to gain as perfect a knowledge of these things as the nature of them will admit. If he has not succeeded in obtaining materials, for a just and full account, it is his request that those who are better acquainted with the subject would oblige the public with more accurate information.

of the river. The leading men in the eastern part of New-Hampshire, were 1779. averse to a removal of the government from its old seat. Vermont had assumed independence; but its limits were not defined. New-York had a claim on that territory as far as Connecticut River, from which there was no disposition to recede. That State had been always opposed to the independence of Vermont. New-Hampshire at first seemed to acquiesce in it; and some letters which the President wrote to the Governor of Vermont, when threatened with invasion in 1777, were understood as an acknowledgment of it. Had there been no attempt to unite with the towns on the eastern side of the river, New-Hampshire would perhaps never have opposed the independence of Vermont. But the Assembly was afterward induced to claim all that territory, which before the year 1764, had been supposed to be within the limits of the State. This interfered with the claim of New-York; and at the same time Massachusetts put in a claim to a part of Vermont. The controversy had become so intricate, that it was thought necessary to be decided by Congress; and application being made to that body, they recommended to the three

Sept. 24.

1779. *Journals of Congress.* States of New-York, Massachusetts and New-Hampshire, to pass acts which should authorise Congress to determine their boundaries; and at the same time they advised the people of Vermont to relinquish jurisdiction over all *persons* on the west or east sides of Connecticut river, who had not denied the authority of New-York and New-Hampshire; and to abstain from granting lands, or confiscating estates, within their assumed limits, till the matter should be decided. The States of New-York and New-Hampshire passed these acts; but Massachusetts did not. The Vermont Assembly proceeded in granting lands and confiscating estates; and Congress could only resolve that their proceedings were unwarrantable.

It was necessary that nine States should be present in Congress, beside those whose claims were to be heard. A deficiency in the representation caused a long delay; but after the expiration of another year the question was brought on. The claims of New-York and New-Hampshire were put in; and both pleaded that Vermont had no right to independence. The agents of the new State asserted their right, and offered

1780.
Sept. 20.

offered to become part of the union; intimating, that if they could not be admitted, they should be reduced to the necessity of making the best terms with the British government.* 1780.

The cause was farther perplexed by a constitutional question, whether Congress had any power to form a new State within the limits of the union? The decision was deferred; and after eleven months, Congress had proceeded no farther, than to lay it down as an indispensable preliminary, to the recognition of Vermont, as a member of the union; that they should 'explicitly relinquish all demands of land and jurisdiction on the east side of Connecticut river, and on the west side of a line' 1781. Aug. 20.

* How far intrigues of this kind were carried on it may be difficult to ascertain; but that the British Government had some dependence on the defection of Vermont appears from the following paragraph of an intercepted letter from Lord George Germaine, to Sir Henry Clinton, dated Whitehall, Feb. 7, 1781.

'The return of the people of Vermont to their allegiance, is an event of the utmost importance to the King's affairs; and at this time, if the French and Washington really meditate an irruption into Canada, may be considered as opposing an insurmountable bar to the attempt. General Haldiman, who had the same instructions with you to draw over those people and give them support, will, I doubt not, push up a body of troops, to act in conjunction with them, to secure all the avenues, through their country into Canada; and when the season admits, take possession of the upper parts of the Hudson's and Connecticut rivers, and cut off the communication between Albany and the Mohawk country. How far they may be able to extend themselves southward and eastward, must depend on their numbers, and the disposition of the inhabitants.'

Printed in the Pennsylvania Packet, August 4, 1781.

1781: 'line drawn twenty miles eastward of Hud-
son's river to Lake Champlain.'

Oct. 19.

MS copy of
Vermont
resolves, in
N. Hamp-
shire files.

When this resolution was laid before the Assembly of Vermont, which met at Charlestown, they determined to 'remain firm in the principles on which they first assumed government, and to hold the articles of union inviolate; that they would not submit the question of their independence to the arbitrament of any power whatever; but they were willing at present to refer the question of their jurisdictional boundary to Commissioners mutually chosen, and when they should be admitted into the American union, they would submit any such disputes to Congress.'

The state of society within the seceding towns, at this time, was very unhappy. The majorities attempted to control the minorities; and these were disposed not to submit, but to seek protection of the government with which they had been connected. At the same time and in the same place, Justices, Sheriffs and Constables, appointed by the authority of both States, were exercising jurisdiction over the same persons. Party rage, high words and deep resentment, were the effect of these clashing interests. An affair which

which began in the town of Chesterfield, threatened a scene of open hostility, between the States of New-Hampshire and Vermont.

1781.

A Constable, appointed by the authority of Vermont, had a writ, in an action of debt against a man who was in the interest of New-Hampshire. He found the man in company with a number of people of his own party, and attempted to arrest him. The owner of the house interposed. The Constable produced a book which he said contained the laws of Vermont, and began to read. The owner of the house forbade him. Threatening words were used, and the officer was compelled to retreat. By a warrant from a Vermont Justice, the householders, and another of the company, were committed to prison in Charlestown. They sent a petition to the Assembly of New-Hampshire for relief. The Assembly empowered the committee of safety to direct the Sheriff of Cheshire to release the prisoners; they farther empowered the committee to cause to be apprehended and committed to prison, in any of the counties, all persons acting under the pretended authority of the State of Vermont, to be tried by the Courts of those counties where they might

Nov. 14.

MS depositions and letters in the files.

Nov. 28.

1781. be confined; and for this purpose the
 Sheriffs were empowered to raise the *posse
 Comitatus*.

In attempting to release the two prisoners from Charlestown gaol, the Sheriff himself was imprisoned by the Vermont Sheriff, under the authority of a warrant from three Justices. The imprisoned Sheriff applied to a Brigadier General of New-Hampshire, to raise the militia for his liberation. This alarmed the Vermonters; and orders were issued by the Governor for their militia to oppose force with force. A committee of Vermont was sent to Exeter, 'to agree on measures 'to prevent hostilities.' One of this committee was the Vermont Sheriff; he was immediately arrested and thrown into prison at Exeter, and there held as a hostage for the release of the Sheriff of Cheshire. The Assembly issued a proclamation, allowing forty days for the people in the revolted towns to repair to some Magistrate of New-Hampshire, and subscribe a declaration, that they acknowledged the extent of New-Hampshire to Connecticut river; and that they would demean themselves peaceably as good citizens of the State. They also ordered the

1782.

Jan. 12.

the militia of all the counties to hold themselves in readiness to march against the revolters. 1782.

Whilst affairs wore such a threatening aspect between the two States, means were used at Congress to take up the controversy on more general ground. A committee, who had under consideration the affair of admitting Vermont into the union and determining its boundaries, prevailed on General Washington, then at Philadelphia, to write to the Governor of Vermont, advising to a relinquishment of their late extension, as an 'indispensible preliminary' to their admission into the union; intimating also, that upon their non-compliance, they must be considered as having a hostile disposition toward the United States, in which case coercion on the part of Congress, however disagreeable, would be necessary.

Jan. 1.

Appendix,
No. 6.

This letter had the desired effect. The Assembly of Vermont, taking advantage of the absence of the members from the eastern side of the river, obtained a majority for complying with the preliminary, and resolved, 'that the western bank of Connecticut river, on the one part, and a line drawn from the north-west corner of Massachusetts, northward, to Lake Cham-

Feb. 22.

1782. 'plain on the other part, be the eastern
 ' and western boundarits of the State of
 ' Vermont, and that they relinquished all
 ' claim of jurisdiction without those limits.'
 When the members from the eastern side
 of Connecticut river arrived, they found
 themselves excluded from a seat in the
 Assembly, and took their leave with some
 expressions of bitterness.

After this compliance, it was expected
 that Vermont would be admitted into the
 union, and the question was solemnly put
 April 14. in Congress; but a majority decided a-
 gainst it; to the no small disappointment
 of many persons, beside the inhabitants of
 the disputed territory. The pretence for
 this decision was, that they had exceeded
 the limited time; but they had complied
 with the 'indispensible preliminary;' and
 the order of Congress, requiring it, stood
 unrepealed.

Though cut off from their connexion
 with Vermont, the revolted towns did not
 at once return to a state of peace; but
 the divisions and animosities which had
 so long subsisted, continued to produce
 disagreeable effects. The judicial Courts
 of New-Hampshire had sat without much
 interruption, in the counties of Cheshire
 and Grafton, whilst the officers of Ver-
 mont

mont held jurisdiction also; but when the latter were excluded by the act of the Vermont Assembly, a spirit of opposition began to arise against the sitting of the former.

1782.

When the Inferior Court was holden at Keene, a number of persons appeared, to oppose its proceedings; and effected their purpose so far as to make an adjournment necessary; but three of the leaders of the opposition were arrested and bound over to the Superior Court. In the meantime efforts were made to raise a party who should oppose the Superior Court; and it was reported that two hundred men had associated and armed themselves for that purpose. On the morning before the Court was opened, several of the leaders came to the Judges' chambers and presented a petition, praying, 'that the Court might be adjourned, and that no judicial proceedings might be had, whilst the troubles in which the country had been involved still subsisted.' They were told that the Judges could come to no determination on the subject, but in open Court. When the Court was opened, their petition was publicly read; and the consideration of it was postponed to the next day. The Court then proceeded to its

September.

October.

1782. its common business. The Grand Jury being impannelled, the doors of the house where they met were kept open, whilst the Attorney General laid before them the case of the rioters at the inferior Court. A bill was found against them. They were arraigned, they pleaded guilty, and cast themselves on the mercy of the Court. The Court remitted their punishment on condition of their future peaceable behavior. This well judged combination of firmness and lenity disarmed the insurgents; and they quietly dispersed. From that time the spirit of opposition to government in that quarter gradually abated; and the people returned to their connexion with New-Hampshire.

CHAP.

C H A P. XXVII.

Popular discontent. Efforts for paper currency. Tender-acts. Insurrection. Dignity and lenity of government. Federal Constitution.

THE American revolution had been crowned with success, as far as it respected our emancipation from foreign jurisdiction, the establishment of forms of government among ourselves, and our deliverance from war. It remained, to accommodate the minds and manners of the people, under the new administration; to a regular course of justice, both public and private; to perfect the union of the States; and to establish a system of finance. These things were necessary to make the revolution complete.

The extremes of despotism on the one hand, and of licentiousness on the other, are equally to be avoided. In a just medium between these, a government well balanced and executed with vigor, is capable of producing the most valuable benefits. To this point it was necessary to conduct our revolution. But it was equally

ly necessary, that it should proceed by slow degrees; that errors in principle should be gradually reformed; and that men should be taught, by their own experience, the folly of relying on any system of politics, which, however supported by popularity, is not founded in rectitude.

A large debt, accumulated by the war, remained to be discharged. For this purpose, requisitions were made by Congress, as well as by the State Government. Silver and gold, which had circulated largely in the latter years of the war, were returning, by the usual course of trade, to those countries, whence large quantities of necessary and unnecessary commodities had been imported. Had any general system of import been adopted, some part of this money might have been retained, and some part of the public debt discharged; but the power of Congress did not extend to this object; and the States were not united in the expediency of delegating new and sufficient powers to that body. The partial imposts, laid by some of the States, were ineffectual, as long as others found their interest in omitting them. Recourse therefore was had to the usual mode of taxation on polls and estates; by which means, a heavy burden was laid on the husbandman

husbandman and the labourer. Those who were punctual in their payments, saw no probable end of their exertions, whilst the negligence of others occasioned repeated demands. Private creditors, who had suffered by long forbearance, were importunate for their dues; and the Courts of Law were full of suits.

The people who felt themselves distressed, held conferences with a view to devise means of redress. The most easy remedy which appeared to many of them, was a new emission of paper bills, funded on real estate, and loaned on interest. To effect this, petitions were addressed to the Legislature; and to remedy the grievance, as far as it was occasioned by a debt of the State, an act was passed, to draw into the Treasury all notes issued by the State, and give certificates for the interest, and for fifteen per cent. of the principal, annually; which certificates were to be received by the Treasurer for taxes, 'in lieu of, and equal to silver and gold.' By this means, it was expected that the debt would gradually be extinguished; and that the people would easily be enabled to pay at least one species of their taxes.

This was far from satisfying the complainants. The public securities, they said,

1785.

Feb. 24.

1785. said, were engrossed by rich speculators, and the poor were distressed for the means of paying their taxes and their private debts. The cry for paper money was incessant ; and the people were called upon in the public papers, ‘to assert their own majesty, as the origin of power, and ‘to make their Governors know, that ‘they are but the executors of the public ‘will.’

To this clamor, the voice of reason and justice calmly answered ; that it was not in the power of the Legislature to establish any fund, which should secure paper money from depreciation ; that there was so much paper then in circulation, and the time of its redemption was so distant, that the notes passed at a discount of sixty, and the certificates of twenty per cent ; that if the quantity were increased, the depreciation would increase in proportion ; that if bills were issued and made a tender in all payments, it would never be in the power of government to redeem them by silver and gold, because none could be collected ; and in that case, no part of the continental or foreign debt could be discharged ; that if bills were loaned on land security, it would be in the power of the public debtor to purchase the bills at
a reduced

a reduced value, and with them to make his payment at the Treasury, in which case, though the public chest might be filled with paper, yet the government would suffer all the embarrassment of poverty. It was added, that the Legislature were by the Constitution expressly forbidden to make retrospective laws, and had no right to alter the nature of private contracts ; and that should the majority of the people petition the government to make paper a lawful tender, it would be their duty to reject the petition as unconstitutional. When it was proposed, that the paper should not be a tender for past but only for future contracts ; it was answered, that this would not relieve the debtor, who was suffering for his past engagements, and the difficulties which it pretended to cure would still exist.

In vain were agriculture and manufactures, industry and frugality recommended as the only adequate sources of relief ; the complainants had no disposition to apply a remedy so slow in its operation ; and indeed it was doubtful whether the utmost exertions in that way would have been sufficient, completely to extricate us out of these difficulties, without some alteration in our confederated government.

Similar

1785.

Minot's
History of
the Infor-
mations,
page 15.

Nov. 8.

Similar difficulties, at the same time, existed in the neighbouring State of Massachusetts; to remedy which, among other palliatives, a law was passed called a *tender-act*, 'by which it was provided that executions issued for private demands, might be satisfied by cattle and other enumerated articles, at an appraisement of impartial men under oath.' For such a law the discontented party in New-Hampshire petitioned; and to gratify them the Legislature enacted, that 'when any debtor shall tender to his creditor, in satisfaction of an execution for debt, either real or personal estate sufficient, the body of the debtor shall be exempt from imprisonment, and the debt shall carry an interest of six per cent; the creditor being at liberty either to receive the estate, so tendered, at a value estimated by three appraisers, or to keep alive the demand by taking out an alias, within one year after the return of any former execution, and levying it on any estate of the debtor which he can find.' At the same time an act was made, enlarging the power of Justices of the Peace, to try and determine actions of debt and trespass to the value of ten pounds. These laws

were

were complained of as unconstitutional; 1785.
the former as being retrospective, and
changing the nature of contracts; the lat-
ter as depriving the creditor, in certain
cases, of a right to trial by Jury. But so
strong was the clamor for redress of griev-
ances; and so influential was the exam-
ple of the neighbouring State, that some
of the best men in the Legislature found
it necessary to comply; whilst another
part were secretly in favor of worse mea-
sures.

The tender-act, at first, was made for
two years only; before the expiration of
which it was revived, with some altera-
tions, and continued for three years long-
er. The effect of this law, in cases where
an attempt was made to execute it, was,
that the most valuable kinds of property
were either concealed or made over to a
third person; and when the Sheriff came
with an execution, it was levied on such
articles as were of little use to the credi-
tor. But the most general effect of the
law was to prevent any demand on the
part of the creditor, and to encourage the
debtor in neglecting payment.

The scarcity of money was still a griev-
ance which the laws had not remedied, 1786.
but rather had a tendency to increase.

1786. To encourage its importation into the country the Legislature exempted from all port duties, except light-money, every vessel which should bring gold and silver only ; and from one half of the duties, if a sum of money equal to one half of the cargo should be imported. But it was to no purpose to import money, unless encouragement were given for its circulation, which could not be expected whilst the tender-act was in force ; for every man who owned money thought it more secure in his own hands, than in the hands of others.

The clamor for paper currency increased, and, like a raging fever, approached toward a crisis. In every town there was a party in favor of it, and the public papers were continually filled with declarations on the subject. It was said that an emission of bills of credit would give a spring to commerce and encourage agriculture ; that the poor would be able to pay their debts and taxes ; that all the arguments against issuing paper were framed by speculators, and were intended to serve the wealthy part of the community, who had monopolised the public securities, that they might raise their value and get all the good bargains into their own hands ;

hands ; that other States in the union had issued paper bills, and were rejoicing in the happy effects of their currency *without any depreciation* ; that the people had a right to call upon their Representatives to stamp a value on paper, or leather, or any other substance capable of receiving an impresson ; and that to prevent its depreciation, a law should be enacted to punish with banishment and outlawry, every person who should attempt by any means to lessen its value.*

1786.

The same party who were so zealous in favor of paper currency, and against laws which obliged them to pay their debts, proceeded to inveigh against Courts and lawyers. The Inferior Courts were represented as sinecures for Judges and Clerks ; the defaulting, appealing, demurring, abatements, fees and bills of costs, without any decision, were complained of

as

* A specimen of the language used on this occasion is as follows.
 * Seven States are now blessed with harmony, plenty and happiness.
 * Worthy, industrious men can go to market with a penny in their
 * pockets ; their benevolent friends, the farmers, meet them half way
 * with cheerfulness, and are as ready to receive as they to offer ; now
 * one greets the other with social benedictions, trade flourishes, agri-
 * culture increases, mutual confidence is restored, and harmony reigns
 * triumphant. Elysian fields these ! when contrasted with the bond-
 * age of the inhabitants of New-Hampshire ; for ' in the midst of
 * life, they are in death,' death of the worst kind, penury and want of
 * the common blessings of Providence. How long, freemen of New-
 * Hampshire, can ye bear the yoke of oppression !'

New-Hampshire Gazette, July 20, 1786.

1786. as burdens, and an abolition of these Courts became a part of the popular cry. But the party did not content themselves with writing in the public papers. An attempt was made to call a convention, at Concord, whilst the Assembly was sitting there, who should petition the Legislature in favor of the plan; and it was thought, that the presence of such a body of men, convened at the same time and place, would have great weight. This attempt was defeated in a manner singular and humorous.

June.

At the first sitting of the Assembly, when five only of the members of the proposed convention were in town, some wags, among whom were several young lawyers, pretended to have been chosen by the towns in which they lived for the same purpose. In conference with the five, they penetrated their views, and persuaded them to post an advertisement, for all the members who were in town to assemble immediately; it being of the utmost importance to present their petition as early in the session as possible. By this means, sixteen pretended members, with the five real ones, formed themselves into a convention, choosing one of the five their President, and one of the sixteen their

1786.

their Clerk. They carried on their debates and passed votes with much apparent solemnity. Having framed a petition, complaining in the most extravagant terms of their grievances ; praying for a loan of *three millions* of dollars, funded on real estate ; for the abolition of Inferior Courts, and a reduction of the number of lawyers, to two only in a county ; and for a free trade with all the world ; they went in procession to the Assembly, (some of whom had been previously let into the secret) and with great formality presented their petition, which was suffered to lie on the table, and was afterward withdrawn. The convention then dissolved ; and when others, who had been really chosen by the towns arrived, they were exceedingly mortified on finding their views for that time so completely frustrated.

The next effort of the party was to call County Conventions. Of what class of people these were composed, some idea may be formed from this circumstance. An innholder, at whose house one of these conventions first met, refused to take their promise for lumber to pay the expense of their meeting ; upon which they adjourned to a ware-house, belonging to one of

1786. the party, and were treated with liquor gratis.

From two of these conventions, and from several towns in different parts of the State, petitions were presented to the Legislature, at their session in Exeter. On calm deliberation, these petitions appeared to be inconsistent with each other, with the constitution, with justice and public faith. But to still the clamor and collect the real sense of the people on the subject of paper currency; the Assembly formed a plan for the emission of fifty thousand pounds, to be let at four per cent. on land security; to be a tender in payment of State taxes, and for the fees and salaries of public officers. This plan was immediately printed, and sent to the several towns; and the people were desired to give their opinions in town-meetings for and against it, and to make return of their votes to the Assembly at their next session.

This way of proceeding did not coincide with the views of the party; the principal directors of which endeavoured to conceal themselves, whilst they persuaded a considerable number of persons of various characters, to appear openly in support of the petitions. They took pains

pains to spread false reports through the country; and among other things, it was said that the Assembly had passed an act, to refund the value of the confiscated estates, which was to be immediately assessed on the people. 1786.

It must be observed, that at this time, causes of a similar nature had excited numbers of people in some counties of Massachusetts, to assemble in arms and prevent the Judicial Courts from sitting. This example, aided by false reports, and a sense of grievances, partly real and partly imaginary, operated so powerfully on the minds of a number of people, in the western part of the county of Rockingham; that on the morning of the twentieth of September, about two hundred men assembled at Kingston, six miles from Exeter, where they chose leaders and procured a drum. By the help of some militia officers they formed themselves into military order, and in the afternoon marched to Exeter; about one third of them being armed with muskets, and the others with swords and clubs. Having entered the confines of the town, they halted; and sent a paper to the Assembly, signed by one of them who styled himself moderator, demanding an answer to their former petition.

Sept. 20.

1786. petition immediately. They then marched through the town, and paraded before the meeting-house, where both Houses of Assembly were holding a conference. The doors were open, and as many of them as were disposed, entered. The President, in a cool and deliberate speech, explained the reasons on which the Assembly had proceeded in rejecting the petitions; exposed the weakness, inconsistency and injustice of their request; and said, that if it were ever so just and proper in itself, and if the whole body of the people were in favor of it, yet the Legislature ought not to comply with it, whilst surrounded by an armed force. To do this, would be, to betray the rights of the people, which they had all solemnly sworn to support. He concluded by declaring, that no consideration of personal danger would ever compel them to violate the rights of their constituents.

This speech being ended, the drum beat to arms; as many as had guns were ordered to load them with balls; sentries were placed at the doors, and the whole Legislature were held prisoners; the mob threatening death to any person who should attempt to escape, till their demands were granted. The Assembly went
on

on with their business, taking no farther notice of the rioters, till the approach of evening; when the President attempted to go out, but was stopped by an impenetrable column. He then reasoned with them, and warned them of the fatal tendency of their conduct, assuring them, that the force of the country would support the government. Their answers to him were insolent and reproachful. They raised a cry for paper-money, an equal distribution of property, and a release from debts. The inhabitants of Exeter had all this time beheld with silence the insult offered to the Legislature; having no orders to take arms, they restrained their indignation, till the dusk of the evening; when some of them beat a drum at a distance, and others cried, 'Huzza for government! Bring up the artillery!' At the sound of these words the mob were struck with a panic, and began to disperse. Their moderator ordered them to meet again, at nine of the clock the next morning, and they scattered in every direction.

The Assembly being thus at liberty, requested the President to call out the force of the State to quell the insurrection. In the evening he issued his orders, and before morning companies of militia, well armed

1786.

Sept. 21.

armed, began to come in from the neighbouring towns. By ten of the clock in the morning a sufficient body of horse and foot, with field-pieces and military music, having arrived; the President put them in motion against the insurgents, who were then parading, about a mile distant. Having by their spies obtained intelligence of the motion of the militia, the unarmed part of the insurgents retreated to a hill beyond the river; the others kept their ground till a party of light-horse appeared in view, and then the whole body retired. Some of them were taken by the pursuers; others recovered the bridge at King's-fall, and being met by those who had first retreated, made an appearance as if they would dispute the passage. Orders were given by one of their leaders to fire; but the force of the government appeared so formidable that they dared not to obey. The officers of the militia rushed in among them, seized their moderator and others to the number of forty, the rest fled with precipitation, and no farther pursuit was made. The prisoners were disarmed and conducted to the town; where they were brought to an examination before the President and Council. Had these men
been

been engaged in a good cause, and commanded by proper officers, they would have maintained the honor of their country, and fought her battles with ardor and perseverance; but, conscious that they were opposing a government of their own establishing, their native fortitude forsook them; and being taken in arms, they gave an example of the most humiliating submission. Most of them professed to be ashamed of their conduct, and their shame appeared to be sincere.

The dignity of government being thus vindicated, its lenity was equally conspicuous. Six only of the prisoners were detained, and a party of light-horse was sent to apprehend two others of the most culpable. They were taken out of their beds and brought to Exeter. This manœuvre had an excellent effect, for some, who knew themselves equally guilty, were afraid to sleep in their own houses. The Superior Court being then in session at Exeter, these eight prisoners were arraigned on an indictment for treason. One dropping on his knees, pleaded guilty; others hesitated when they pronounced the words 'not guilty.' They were ordered to recognise for their appearance at the next Superior Court, when their bonds were discharged,

1786.

Sept. 25.

1786. discharged. Some of them, who belonged to the Presbyterian Churches, were cited before the ecclesiastical session, and there censured, as opposers of just government. Others, being militia officers, were tried by a general Court Martial; of these, some were cashiered, but not incapacitated for future service; some were reprimanded, and others were acquitted. The whole opposition was completely subdued; wavering minds became settled; converts were made to the side of government; and the system of knavery received a deep wound, from which it has not since recovered.

1787. The plan which had been issued by the Assembly, for emitting paper-money, was in course referred to the people, in their town-meetings; and at the next session the returns were made, when a majority appeared against it. To finish the whole matter, two questions were put in the Assembly. The first was, 'whether the Legislature can, consistently with the constitution, and their oaths, pass an act making paper bills of credit, a tender to discharge private contracts, made prior to the passing such act?' The other was, 'whether paper-money be emitted on any plan which has been proposed?' Both these

Jan. 4.

these questions were determined in the negative. 1787.

To observe the progress of wisdom and virtue, and the obstacles which are laid in the way of vice, is a most pleasing entertainment to the philanthropist; and it is but just, in such a contemplation, to acknowledge that superintending influence, which brings good out of evil. It was feared by many, that the American revolution would not produce that sum of political happiness which its warmest advocates had fondly predicted. The efforts of faction in several of the States were very alarming. In New-Hampshire, the assault being made directly at the supreme head of the government, the force of the State immediately rose and crushed it. In Massachusetts, the attacks were made on the Judicial Courts, which of themselves had no power effectually to oppose them. The disaffection there rose to a higher degree; it was more extensively diffused, and with more difficulty quelled. But at length the constitutional powers of government being exerted with vigor, the spirit of anarchy was suppressed. In another neighbouring State, the same spirit reigned triumphant. A depreciating currency was established by law, and pertinaciously adhered to by the government.

The

1787.

The imbecility of the confederation by which the States were united, had long been felt, and some attempts had been making to strengthen it; but the view of our situation at this time, demonstrated the total inefficacy of that constitution, to bind together thirteen distinct sovereignties, over which no coercive power was established, which could prevent or cure such evils as threatened the destruction of all public and private credit. Happily for the American union, the remedy existed within itself. The good sense and public virtue of the great body of our citizens readily adopted the idea of a CONVENTION OF THE STATES. The first proposal came from Virginia, where American liberty was first publicly asserted, when it was flagrantly violated by the stamp-act. The name of *Patrick Henry* will ever be illustrious in the American annals for moving the resolves of 1765; and the name of *James Madison* will be equally distinguished for proposing the Convention of 1787.

To this Convention, which was holden at Philadelphia, all the States, except *one*, sent their delegates. After a close and particular investigation, they produced a new federal Constitution; containing adequate

equale remedies for those political disorders, which had threatened with extinction, the liberty and independence of the American States. 1787.

Among other wise provisions, to establish justice and secure the blessings of liberty, those which respect public and private credit are not the least conspicuous. To support the former, the Congress has a power which, by the first confederation, was not delegated, 'to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defence and general welfare of the United States.' For the latter it is declared, that 'no State shall coin money, emit bills of credit, make any thing but gold and silver coin a tender in payment of debts, pass any bills of attainder or ex post facto law, or any law impairing the obligation of contracts.'

When this new Constitution was proposed to the people, conventions were called in each State to consider it. In these bodies, composed of persons who represented impartially every class and description of the people, and who were themselves equally various in their principles, habits and views; the Constitution underwent the most critical and severe discussion.

1787. discussion. Whilst it was in debate, the anxiety of all parties was extended to the utmost degree, and the efforts of its friends and its opposers were unremitted.


1788. After the Constitution had been, with the help of some proposed amendments, adopted by Massachusetts, a convention was called at Exeter in New-Hampshire. At its first meeting, a debate which continued ten days ended in an adjournment for four months; at the expiration of which term, in a short session of three days only at Concord, the question for adopting and ratifying the Constitution, was, with the same help as in Massachusetts, carried in the affirmative, by a majority of eleven; the whole number present being one hundred and three. This was the *ninth* State in the union which accepted the Constitution; and thus the number was completed which was necessary to put in motion the political machine. In about a month, two more States were added. Then a Congress was formed, and the illustrious WASHINGTON, by the unanimous suffrage of the people, was placed in the first seat of government. Three other States, of which one is Vermont, have since been admitted into the union; and there is now in operation a

Feb. 13.

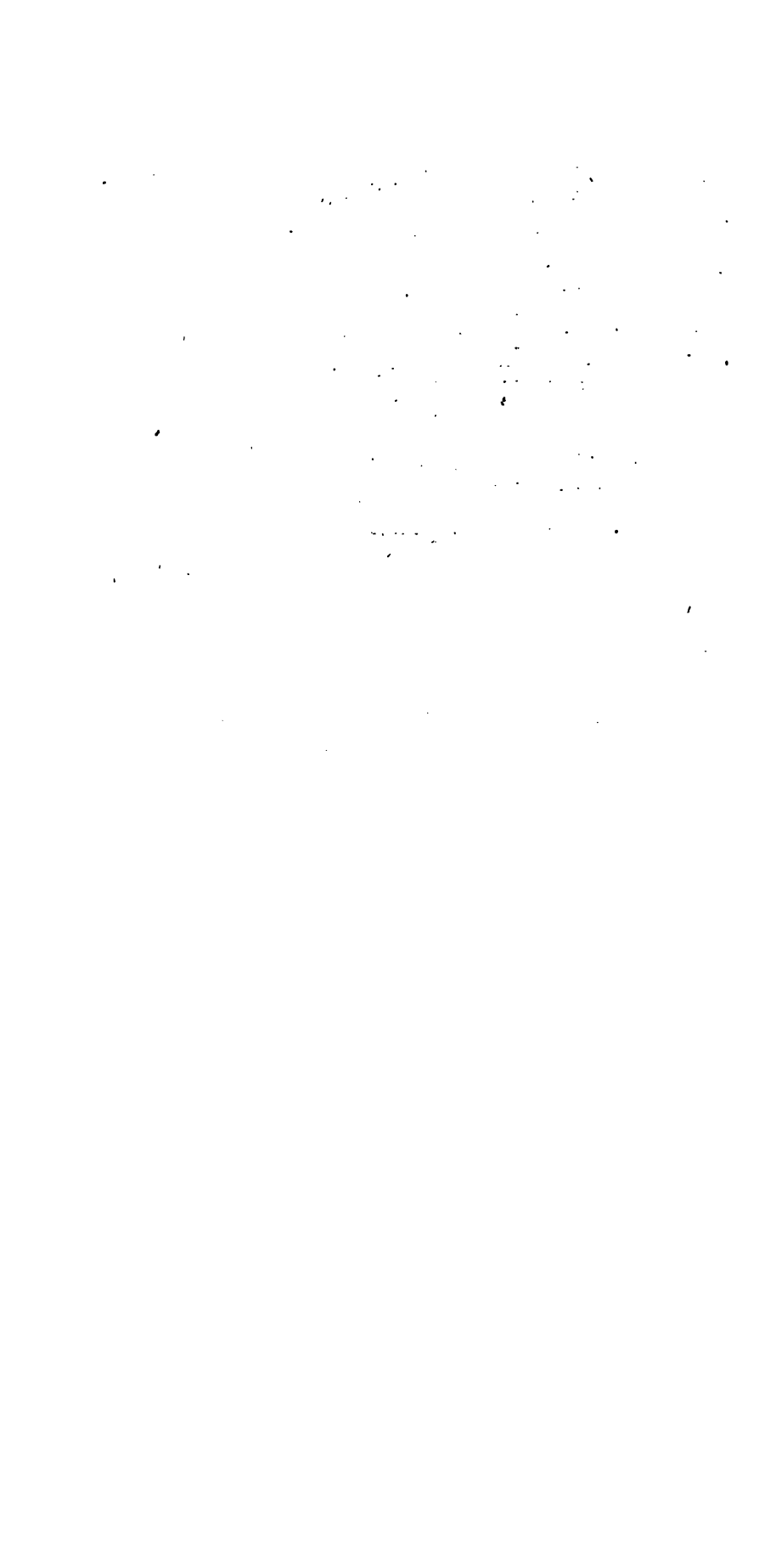
June 21.

1789.

general

general system of energetic government, 1790. 
which pervades every part of the United
States, and has already produced a sur-
prising alteration for the better. By the
funding of the Continental debt, and the
assumption of the debts of the individual
States, into one general mass, a founda-
tion is laid for the support of public cred-
it; by which means the American revolu-
tion appears to be completed. Let it be
the sincere prayer and endeavour of every
thoughtful citizen, that such harmony
may prevail between the general govern-
ment, and the jurisdiction of each State,
as the peculiar delicacy of their connexion
requires; and that the blessings of 'peace,
'liberty and safety,' so dearly obtained,
may descend inviolate to our posterity.

APPENDIX.



A P P E N D I X.

No. I.

A chronological detail of the different forms of government in New-Hampshire, from the beginning of its settlement to the present time; with the names of the chief Magistrates.

1623 SEVERAL families of fishermen and planters; under the direction of the company of Laconia and their agents.

1638 Three voluntary associations for government, at Portsmouth, Dover and Exeter. Hampton being considered as part of Massachusetts.

1641 All the settlements by a voluntary act submitted to Massachusetts, and were comprehended in the county of Norfolk, which extended from Merrimack to Piscataqua rivers.

1680 A royal government was established by commission from Charles II.

John Cutts,
1681 Richard Waldron, } Presidents.

1682 Edward Cranfield, Lieutenant Governor.*

1685 Walter Barefooté, Deputy Governor.

1686 A general government was established over the territory called New-England, by James II.

Joseph Dudley, President.

1687

* Since writing the first volume, I have met with a gentleman of Jamaica, who is a great grandson of Lieut. Governor Cranfield. From him I learned, that Mr. Cranfield was of the family of Lord Monteaule, who was instrumental of discovering the popish plot in the reign of James I. That after his departure from New-Hampshire, and whilst he resided at Barbados, he suggested the expediency of the 4 and an half per cent. duty on sugars to the British government, which was granted by the Assemblies of the islands, and has ever since been continued. That in the reign of King William III, he procured a ship of war, at his own expense, and presented it to the Crown. That he died about the beginning of the present century, and was buried in the Cathedral Church, at Bath, in England.

- 1687 Sir Edmund Andros, Governor.
- 1689 After the deposition of Andros, New-Hampshire, by a voluntary act, became again united with Massachusetts, as under the old charter.
- 1692 John Usher published the commission of Samuel Allen, and officiated as Lieutenant Governor.
- 1697 William Partridge was appointed Lieutenant Governor.
- 1698 Samuel Allen took the chair as Governor, and restored Usher to his seat as Lieutenant Governor.
- 1699 Richard, Earl of Bellomont, Governor of New-York, Massachusetts and New-Hampshire, opened his commission in New-Hampshire, under whom William Partridge officiated as Lieutenant Governor.
- 1702 Joseph Dudley, Governor of Massachusetts and New-Hampshire.
John Usher reappointed Lieutenant Governor.
- 1715 George Vaughan, Lieutenant Governor.
- 1716 Samuel Shute, Governor of Massachusetts and New-Hampshire.
- 1717 John Wentworth, Lieutenant Governor; and after Shute's departure in 1722, Commander in Chief.
- 1729 William Burnet, Governor of Massachusetts and New-Hampshire.
- 1730 Jonathan Belcher, Governor of Massachusetts and New-Hampshire.
- 1731 David Dunbar, Lieutenant Governor; he returned to England in 1737.
- 1741 Benning Wentworth, Governor. No Lieutenant Governor for 25 years.
- 1762 John Temple, Lieutenant Governor, merely titular; he never officiated.
- 1767 John Wentworth, Governor.
- 1775 The British government was dissolved, and the people formed a Provincial Convention, of which Matthew Thornton was President.
- 1776 A temporary Constitution was framed to continue during the war with Great-Britain. Under this Constitution,
Messiah Weare was annually elected President.

1784 A new and permanent Constitution took place, under which the following Presidents of the State have been annually elected.

Meshech Weare,*

1785 John Langdon,

1786 } John Sullivan,

1787 }

1788 John Langdon,

1789 John Sullivan,

1790 } Josiah Bartlett.

1791 }

N. B. In case of a vacancy within the year, the senior Counsellor presides.

No. II.

A catalogue of Counsellors in New-Hampshire under the royal government. With the years when they were appointed, and the times of their death, as far as either can be ascertained.

N. B. Where a dash is placed in the first column, the date of the appointment is the same as the preceding. Where no dash is placed, the time is uncertain.

<i>Appointment.</i>	<i>Names.</i>	<i>Death.</i>
1680	JOHN Cutts, President.	1681
—	Richard Martyn, Treasurer.	1693
—	William Vaughan, Recorder.	1719
—	Thomas Daniel.	1683
—	John Gilman.	1708
—	Christopher Hufley.	1685
—	Richard Waldron, President.	1689
—	Elias Stileman, Secretary.	1695
—	Samuel Dalton.	1681
— Job		

* President Weare, being worn out with public services, resigned his office before the expiration of the year; and after languishing under the infirmities of age, died on the 15th of January, 1786, ætat 73.

His ancestors had been in public stations, from the first establishment of the Province. He himself had been employed in public business about forty-five years. He was chosen Speaker of the House in 1752, Commissioner to the Congress at Albany in 1754; afterward one of the Justices of the Superior Court; and in 1777, Chief Justice. He was not a person of an original and inventive genius, but had a clear discernment, extensive knowledge, accurate judgment, a calm temper, a modest deportment, an upright and benevolent heart, and a habit of prudence and diligence in discharging the various duties of public and private life.

<i>Appointments</i>	<i>Names.</i>	<i>Death.</i>
1680	Job Clements.	1717
—	Robert Mason, Chancellor.	1688
1681	Richard Waldron.	1730
—	Anthony Nutter.	
1682	Walter Barefoote, Deputy Governor.	
—	Richard Chamberlayne, Secretary.	
1683	Nathaniel Fryer, President.	
—	Robert Elliot.	
—	John Hinckes, President.	
—	Edward Randolph.	
1684	James Sherlock.	
—	Francis Champernoone.	
—	Robert Wadleigh.	
1685	Henry Green.	1700
1692	John Usher, Lieutenant Governor.	1706
—	Thomas Graffort,	} named in Usher's commission, but not in the Council books.
—	John Walford,	
—	John Love,	
—	Peter Coffin.	
—	John Gerrish.	1711
—	Nathaniel Weare, Agent,	1718
1697	William Partridge, Lieutenant Governor.	
1698	Joseph Smith,	} appointed by Govern- or Allen, during his short administration.
—	Kingsley Hall,	
—	Sampson Sheafe,	
—	Peter Weare,	
1702	Samuel Penhallow, Treas. and Recorder.	1726
—	John Plaisted.	
—	Henry Dow.	1707
—	George Jaffrey.	1706
1710	Mark Hunking, Recorder.	
1712	John Wentworth, Lieut. Governor.	1730
1715	George Vaughan, Lieut. Governor.	1724
1716	Richard Gerrish.	1717
—	Theodore Atkinson.	1719
—	Shadrach Walton, President.	
—	George Jaffrey, Treasurer.	1749
—	Richard Wibird.	1732
—	Thomas Westbrook.	1736
1719	Thomas Packer.	1723
1722	Archibald McPhedris.	

A P P E N D I X.

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<i>Appointment.</i>	<i>Names.</i>	<i>Death.</i>
1723	John Frost.	
1724	Jotham Odiorne.	
1728	Henry Sherburne.	1758
	Richard Waldron, Secretary.	1753
1732	Joshua Peirce, Recorder.	1743
1734	Benning Wentworth, Governor.	1770
—	Theodore Atkinson, Secretary.	1779
—	Ephraim Dennet.	
	Benjamin Gamblin.	1737
1739	Richard Wibird.	1765
	Ellis Huske.	1755
	Joseph Sherburne.	1744
1740	John Rindge.	1740
	John Downing.	1766
	Samuel Smith.	1760
	Joseph Blanchard.	1758
	Sampson Sheafe.	
1753	Samuel Solley.	
—	Daniel Warner.	1778
1754	Joseph Newmarch.	1765
1759	Mark Hunking Wentworth.	1785
1759	James Nevin.	1768
1761	John Nelson.	1787
1762	William Temple.	1789
—	Theodore Atkinson, Secretary.	1769
—	Nathaniel Barrell.	
1765	Peter Livius.	
1766	Jonathan Warner.	
—	Daniel Rindge.	
—	Daniel Peirce, Recorder.	1773
—	George Jaffrey, Treafuter.	
—	Henry Sherburne.	1767
—	Daniel Rogers.	
1772	Peter Gilman.	1787
—	Thomas Westbrooke Waldron.	1785
1774	John Sherburne.	
—	John Phillips.	
1775	George Boyd.	1787

G g 4

No.

No. III.

Alphabetical list of Delegates to Congress, before and during the Confederation.

N. B. Those marked thus * are dead.

JOSIAH Bartlett,	Samuel Livermore,
* Jonathan Blanchard,	* Peirce Long,
* Nathaniel Folsom,	Nathaniel Peabody,
Abiel Foster,	John Sullivan,
George Frost,	Matthew Thornton,
John Taylor Gilman,	* John Wentworth,
Nicholas Gilman,	* William Whipple,
John Langdon,	Phillips White,
Woodbury Langdon,	Paine Wingate.

Delegates to the Convention of the United States,
in 1787.

John Langdon, Nicholas Gilman.

Under the present Federal Constitution.

Senators,	{ John Langdon,	Represent- atives.	{ Samuel Livermore,
	{ Paine Wingate.		{ Nicholas Gilman,
			{ Abiel Foster,
			{ Jeremiah Smith,

No. IV.

A table of the number of rateable polls; amount of rateable estate, and number of Representatives in the several counties, in the Province of New-Hampshire, A. D. 1773.

Counties.	Represent- atives.	No. of rateable polls.	Amount of rateable estate.
Rockingham	21	7570	£ 10,528
Strafford	6	2292	3,101
Hillsborough	4	2946	3,888
Cheshire	3	2052	2,445
Grafton		642	686
	34	15502	£ 20,648

34 Members representing 46 towns—8729 rateable polls.
Unrepresented 101 towns—6773 rateable polls.

147

15502 polls.

No.

No. V.

An exact table, shewing the state of Representation, in the Legislature of the Province of New-Hampshire, A. D. 1773, with the proportion of such representation to the taxation of the several towns,

<i>Names of towns represented.</i>	<i>No. of Rep-resent.</i>	<i>The proportion each town paid to every £1000.</i>	<i>Proportion to each Represent.</i>
P ORTSMOUTH	3	58 2 0	19 7 0
Dover	2	25 13 0	
Madbury		11 2 0	36 15 0
Hampton	2	14 9 0	18 7 6
Northampton		9 14 0	24 3 0
Hampton Falls	1		12 1 6
Exeter	2	10 17 0	10 17 0
Brentwood		24 4 0	
Epping		14 10 0	
Poplin		23 10 0	
Newcastle		6 5 0	68 9 0
Rye	2	5 16 0	34 4 6
Kingston		11 2 0	16 18 0
East-Kingston	1	14 9 0	8 9 0
Sandown		7 5 0	
Hawke		7 12 0	
Newington		7 15 0	37 1 0
Stratham	1		37 1 0
Londonderry	1		9 13 0
Windham	1		9 13 0
Greenland	1		18 8 0
Durham	1		18 3 0
Lee	1	35 15 0	
Newmarket		5 0 0	40 15 0
Southampton			40 15 0
Chester	1		10 17 0
Candia	1		10 17 0
Raymond	1	17 12 0	
Plaflow		12 6 0	29 18 0
Hampstead			29 18 0
Atkinson	1		17 10 0
Salem	1		17 10 0

Names

<i>Names of towns represented.</i>	<i>No. of Reps.</i>	<i>The proportion each town paid in every £1000.</i>	<i>Proportion to each Rep.</i>
Pelham		9 11 0	24 1 0
Somerworth	1		16 0 0
Hollis	1		16 18 0
Merrimac	1		7 5 0
Nottingham West	1	8 9 0	
Litchfield		5 6 0	13 15 0
Kensington	1		14 0 0
Rochester	1		18 15 0
Barrington	1		14 0 0
Amherst	1	19 7 0	
Bedford		7 5 0	26 12 0
Winchester	1		8 4 0
Keene	1		10 12 0
Charlestown	1		9 4 0

46 Towns represented by 34 memb. & pay 619 4 0 of each £1000

101 Towns not represented which pay 370 16 0 of each £1000

147 Towns. 34 memb. £1000 0 0

This and the foregoing table were calculated by
Wentworth Chesnut, Esq. of Newmarket.

No. VI.

*Copy of a letter from his Excellency General WASHINGTON,
to THOMAS CHITTENDEN, Esquire.*

[Certified by Tobias Lear, Esq. private Secretary to the
President of the United States.]

Philadelphia, 1st January, 1782.

SIR,

I RECEIVED your favor of the 14th of November, by Mr. Brownson. You cannot be at a loss to know why I have not heretofore, and why I cannot now, address you in your public character, or answer you in mine: But the confidence which you have been pleased to repose in me, gives me an opportunity of offering you my sentiments, as an individual, wishing most ardently to see the peace and union of his country preserved, and the just rights of the people of every part of it fully and firmly established,

16

It is not my business, neither do I think it necessary now, to discuss the origin of the right of a number of inhabitants to that tract of country formerly distinguished by the name of the New-Hampshire Grants, and now known by that of Vermont. I will take it for granted that their right was good, because Congress, by their resolve of the 7th of August, imply it; and by that of the 21st, are willing fully to confirm it, provided the new State is confined to certain described bounds. It appears, therefore, to me, that the dispute of boundary is the only one that exists, and that that being removed all further difficulties would be removed also, and the matter terminated to the satisfaction of all parties. Now I would ask you candidly, whether the claim of the people of Vermont, was not, for a long time, confined solely, or very nearly, to that tract of country which is described in the resolve of Congress of the 21st of August last; and whether, agreeable to the tenor of your own letter to me, the late extension of your claim upon New-Hampshire and New-York, was not more a political manœuvre, than one in which you conceived yourselves justifiable. If my first question be answered in the affirmative, it certainly bars your new claim. And if my second be well founded, your end is answered, and you have nothing to do but withdraw your jurisdiction to the confines of your old limits, and obtain an acknowledgment of independence and sovereignty, under the resolve of the 21st of August, for so much territory as does not interfere with the ancient established bounds of New-York, New-Hampshire and Massachusetts. I persuade myself you will see and acquiesce in the reason, the justice, and indeed the necessity of such a decision.

You must consider, Sir, that the point now in dispute is of the utmost political importance to the future union and peace of this great country. The State of Vermont, if acknowledged, will be the first new one admitted into the confederacy; and if suffered to encroach upon the ancient established boundaries of the adjacent ones, will serve as a precedent for others, which it may hereafter be expedient to set off, to make the same unjustifiable demands.

demands. Thus, in my private opinion, while it behoves the Delegates of the States now confederated, to do ample justice to a body of people sufficiently respectable by their numbers, and entitled by other claims to be admitted into that confederation, it becomes them also to attend to the interests of their constituents, and see, that under the appearance of justice to one, they do not materially injure the rights of others. I am apt to think this is the prevailing opinion of Congress, and that your late extension of claim has, upon the principle I have above mentioned, rather diminished than increased your friends; and that, if such extension should be persisted in, it will be made a common cause, and not considered as only affecting the rights of those States immediately interested in the loss of territory; a loss of too serious a nature not to claim the attention of any people. There is no calamity within the compass of my foresight, which is more to be dreaded than a necessity of coercion on the part of Congress; and consequently every endeavour should be used to prevent the execution of so disagreeable a measure. It must involve the ruin of that State against which the resentment of the others is pointed.

I will only add a few words upon the subject of the negotiations, which have been carried on between you and the enemy in Canada and in New-York. I will take it for granted, as you assert it, that they were so far innocent, that there never was any serious intention of joining Great-Britain in their attempts to subjugate your country; but it has had this certain bad tendency, it has served to give some ground to that delusive opinion of the enemy, and upon which they, in a great measure, found their hopes of success; that they have numerous friends among us, who only want a proper opportunity to shew themselves openly; and that internal disputes and feuds will soon break us in pieces. At the same time the seeds of distrust and jealousy are scattered among ourselves by a conduct of this kind. If you are serious in your professions, these will be additional motives for accepting the terms which have been offered, (and which appear to me equitable) and thereby convincing

vincing the common enemy, that all their expectations of disunion are vain, and that they have been worsted at their own weapon—deception.

As you unbofom yourself to me, I thought I had the greater right of speaking my sentiments openly and candidly to you. I have done so, and if they should produce the effect which I most sincerely wish, that of an honorable and amicable adjustment of a matter, which, if carried to hostile lengths, may destroy the future happiness of my country, I shall have attained my end, while the enemy will be defeated of theirs.

Believe me to be, with great respect,

Sir,

Your most obedient servant,

GEORGE WASHINGTON.

END OF THE SECOND VOLUME.

CORRECTIONS.

In the first volume.

Page 78, line 19, for settlement, read sentiment. Page 291, line 19 and 21, for from, read to. Page 310, line 8, (in some copies) after township, add, the other for ascertaining the bounds of them.

In the second volume.

Page 176, line 8, dele who. Page 228, line 20, for Major, read Brigadier.











CORRECTIONS.

In the first volume.

Line 19, for settlement, read sentiment. Page 291, line 18
from, read to. Page 310, line 8, (in some copies) after town-
ship, and, the other for ascertaining the bounds of them.

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